

GOVERNMENT OF INDIA  
LEGISLATIVE DEPARTMENT

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GENERAL RULES AND ORDERS  
MADE UNDER ENACTMENTS  
IN FORCE IN BRITISH INDIA

CONSISTING OF

PART I

General Rules, Proclamations and Notifications made under Statutes relating to India

AND

PART III

General Rules and Orders made under General Acts of the Governor-General in Council; with an Index.

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VOLUME III

(Containing Rules under Acts from 1890 to 1909 in Part II).



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# General Rules and Orders under Enactments in force in British India.

## PART II.

### General Rules and Orders made under General Acts of the Governor General in Council.

#### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

##### Treasurers of Charitable Endowments.

*No. 1580, dated the 24th October, 1890.*—Under section 3 (1) of the Charitable Endowments Act, VI of 1890, the Governor General in Council is pleased to appoint the following officers to be Treasurers of Charitable Endowments for the territories which are specified against them respectively in the following Schedule, namely:—

#### SCHEDULE.

<i>Officer.</i>	<i>Territories.</i>
The Accountant-General, Madras.	Madras Presidency.
Ditto, Bombay.	Bombay Presidency.
Ditto, Bengal.	Lower Provinces.
Ditto, North-Western Provinces and Oudh.	North-Western Provinces and Oudh.
Ditto, Punjab.	Punjab.
The Comptroller, Central Provinces.	Central Provinces.
Ditto, Burma.	Burma.
Ditto, Assam.	Assam.
<del>The Accountant-General, Madras.</del>	<del>Coorg.</del>
Ditto, Punjab.	Delhi. <sup>1</sup>

[See Gazette of India, 1890, Pt. I, p. 765.]

##### Treasurer of Charitable Endowments for Ajmer-Merwara.

*No. 1720-I. B., dated the 17th June, 1918.*—In exercise of the powers conferred by section 3 (1) of the Charitable Endowments Act, 1890 (VI of 1890), the Governor-General in Council is pleased to appoint the Comptroller of India Treasuries, Calcutta, to be the Treasurer of Charitable Endowments for Ajmer-Merwara.

[See Gazette of India, 1918, Pt. I, p. 952.]

<sup>1</sup> Added by Notification No. 1010, dated the 1st October, 1912, see Gazette of India, 1912, Pt. I, p. 1102.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore.

*No. 433, dated the 27th May, 1909.*—WHEREAS Jamsetjee Nusserwanjee Tata, late of Bombay, Parsee gentleman, some time before his death, which took place on the 19th day of May, 1904, made a proposal to the Government of India for founding an Institute of Research in India, and endowing such Institute with immoveable properties in the City of Bombay producing an annual net rental of not less than Rs. 1,25,000 and applied to the said Government for aid to and co-operation in that Scheme; AND WHEREAS the lands described in Schedule C hereto have been selected for the location of the said Institute and the Government of His Highness the Maharaja of Mysore by Resolution bearing <sup>1</sup>No. G-5639 G.M. 232-06-09 and dated 14th March, 1907, published in the Mysore Gazette, copy of which Resolution is given in Schedule D hereto assigned to the Governor General of India in Council with effect from the 14th day of March, 1907, the exclusive management of and full jurisdiction over the said lands for so long as the said lands are used for the purposes of the said Institute; AND WHEREAS the Government of His Highness the Maharaja of Mysore has by <sup>2</sup>letters, dated 26th day of July and <sup>26th</sup><sub>27th</sub> day of December, 1905, copies of which collectively are given in Schedule E hereto, agreed to supplement the income of the said Institute by an annual permanent grant of Rs. 50,000 contingent upon the location of the said Institute in Bangalore and by <sup>3</sup>letter, dated 16th of November, 1901, copy whereof is given in Schedule F hereto has also agreed to provide a sum of Rs. 5,00,000 towards the construction and erection of the buildings of the said Institute and other initial expenditure required for the purposes of the said Institute; AND WHEREAS the Government of India have by letter to the Government of Bombay, <sup>4</sup>No. 156, dated 28th February, 1905, an extract wherefrom is given in Schedule G hereto agreed to supplement the income for the time being of the said Institute by an annual grant to be made by that Government equivalent to one equal half of the income of the said Institute from time to time derived from "local assets" as defined in paragraph 5 of the said letter, but so that the total amount of such grant shall not at any time exceed Rs. 1,50,000 and also to make a grant of Rs. 2,50,000 towards the construction of the necessary buildings and other initial expenditure required for the purposes of the said Institute: AND WHEREAS in pursuance and for the purpose of carrying into effect

<sup>1</sup> *Infra*, p. 18.

<sup>2</sup> *Infra*, pp. 19, 20.

<sup>3</sup> *Infra*, p. 21.

<sup>4</sup> *Infra*, p. 23.



## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

the said proposal Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata, the sons and Executors and residuary legatees of the said Jamsetjee Nusserwanjee Tata, have made an application to the Governor General in Council that the properties specified in Schedule A hereto with the benefit of and subject to the covenants, agreements, conditions and terms set forth in Schedule B hereto may in pursuance of the provisions of the Charitable Endowments Act, 1890 (Act VI of 1890), be vested in the Treasurer of Charitable Endowments for the territories subject to the Government of Bombay upon the terms as to the application of the said property and the income thereof hereinafter referred to which terms have been agreed upon between the Governor General in Council and the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata.

Now in pursuance and by virtue of Sections 4 and 7 of the Charitable Endowments Act, 1890, His Excellency the Governor General of India in Council hereby orders that the properties specified in Schedule A hereto annexed with the benefit of and subject to the covenants, agreements, conditions and terms set forth in Schedule B hereto annexed, be and the same are hereby vested in the Treasurer of Charitable Endowments for the Territories subject to the Government of Bombay upon the following terms, that is to say, that the said lands in or near Bangalore shall be used for the erection of the buildings of the said Institute (intended to be called and known by the name of the Indian Institute of Science) and that the said land and buildings shall be appropriated and occupied in perpetuity for the purposes of the said Institute, that the said sums of Rs. 5,00,000 and Rs. 2,50,000 shall be expended towards the construction and erection of the buildings of the said Institute and other initial expenditure of the said Institute, and that the balance of the said funds in the hands of the said Provisional Committee, the said annual grant of Rs. 50,000 by the Government of His Highness the Maharaja of Mysore and such grant as may be annually made by the Government of India and also the income of the immoveable properties in Bombay described in Schedule A hereto shall be collected and received by the persons appointed for the purpose under the Scheme settled under Sections 5 and 7 of the said Act and hereto annexed and marked with the letter H to be by them applied in the manner set forth in the said Scheme.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

**SCHEDULE A.**

**Description of Endowment Properties.**

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**List of Properties hereinbelow described.**

1. Albert Buildings.
  2. Gymkhana Chambers.
  3. Victoria Buildings.
  4. Albion Place.
  5. Alexandra Terrace.
  6. Jubilee Buildings.
  7. Reay House.
  8. Sandhurst House.
  9. Roosevelt House (or Ezra House).
  10. Sargent House.
  11. Jenkins House.
  12. New Shamjee Buildings now known as Station Terraces.
  13. New Shamjee Buildings Extension also known as Station Terraces.
  14. Candy House.
  15. Land near Jubilee Buildings.
  16. Land near Albion Place and Alexandra Terrace.
  17. Land near Albion Place and Alexandra Terrace.
  18. Land on Parel Tank Road (Wagheshri Hill).
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**Albert Buildings on the Esplanade.**

All that piece of leasehold land with the buildings or premises standing thereon known as "Albert Buildings" situate on the Esplanade in the City of Bombay containing by admeasurement nine hundred and

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

ninety-five and two-ninths square yards or thereabouts registered in the books of the Collector of Bombay under Collector's New No. 16913 and New Survey No.  $\frac{8}{853}$  and assessed by the Municipality of Bombay under Ward Nos. 3230 and 3231 and Street Nos. 2 and 4 and bounded on or towards the North by plot No. 58 on the map or plan of Government land on the said Esplanade and leased to the Standard Life Assurance Company, Limited, on or towards the East by Hornby Road, on or towards the South and South-West by a new road and which land is known as plot No. 16 of Government land on the Esplanade aforesaid and is situate in the Registration District of Bombay subject to and with the benefit of an Agreement, dated the 16th September, 1891, as to a passage on the North side of the said piece of land excepting mines and minerals under the said premises and which premises are held under a Lease, dated the 2nd of March, 1889, from the Secretary of State for India in Council for a term of nine hundred and ninety-nine years commencing from the 15th day of December 1883; which premises are in the occupation of the tenants of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata.

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**2**

**Gymkhana Chambers, Waudby Road, Esplanade.**

*Firstly.*—All that piece of leasehold land situate in the Island of Bombay known as plot No. 23 of Government land on the Esplanade and assessed in the books of the Collector of Bombay under No. 16850 and Survey No.  $\frac{4}{8403}$  with the messuage tenement and building standing thereon called or known by the name of "Gymkhana Chambers" assessed by the Municipality of Bombay under Ward A. Nos. 3465 (1 to 4) containing by admeasurement eight hundred and twelve and a half square yards or thereabouts and bounded as follows, that is to say, on the North by the compound of the Government Telegraph Signallers' Quarters, on the East and South by Murzban Road and on the West by Waudby Road; which said premises are situate in the Registration District of Bombay and are held under a Lease, dated the 19th of April, 1884, from the Secretary of State for India in Council for 999 years from the fourteenth day of June one thousand eight hundred and eighty-three, together with the benefit of an Agreement, dated the 12th of April, 1899, endorsed upon the said Lease, and

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

*Secondly.*—All that piece of ground to be used as a garden appurtenant to the premises hereinbefore lastly described containing two hundred and fifty square yards situate to the South of the said premises which said piece of land is held under a Lease, dated the 25th March, 1886, from the Secretary of State for India in Council for 997 years and 202 days from 24th day of November one thousand eight hundred and eighty-four free of rent; all which premises are in the occupation of the tenants of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata.

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**3**

**Victoria Buildings, Parsee Bazar Street, Bombay.**

All that piece of freehold land situate in the Fort on the Eastern side of Parsee Bazar Street at or near the Elphinstone Circle in the Registration Sub-District of Bombay with the messuage tenement and building standing thereon called or known by the name of "Victoria Buildings" registered in the books of the Collector of Bombay under New Survey No. 9332 and assessed by the Municipality of Bombay under Ward A. No. 1526 and Street Nos. 1-3-5-7 containing by admeasurement four hundred and eighty-two and three-fourths square yards or thereabouts and bounded as follows, that is to say, on or towards the North by the property of Cursetji Sorabji Wachaghandy, on or towards the South by the property of late Byramji Nowroji, G. G. M. C. but now of Dewkaran Nanji, on or towards the East by a public passage and on or towards the West by Parsee Bazar Street; all which premises are occupied by the tenants of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata.

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**4 & 5**

**"Albion Place" and "Alexandra Terrace."**

**Properties at Parel Road, Byculla.**

All that piece of land registered by the Collector of Bombay under Collector's New No. 16342, Old Survey No. 703 and New Survey No. <sup>1</sup>/<sub>3651</sub> situate at Byculla on the Eastern side of Parel Road with the messuage tenements and buildings standing thereupon called or known by the name of "Albion Place" and "Alexandra Terrace" with their outhouses and stables, the former of which is assessed by the Muni-

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

city of Bombay under Ward E., Nos. 7688 (1) and the latter under Ward E, Nos. 7688 (2 to 10) containing by admeasurement eleven thousand one hundred and four square yards or thereabouts and bounded as follows, that is to say, on or towards the East, by the compound of the property of G. E. Pilcher called Airy Cottage on or towards the West by the Parel Road aforesaid, on or towards the North by the premises hereinafter described under Nos. 16 and 17, and on or towards the South by Victoria Road; all which said hereditaments are situate in the Registration Sub-District of Bombay and are in the occupation of the tenants of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata.

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**6**

**Jubilee Buildings Property at Sankli Street, Byculla, and adjoining land.**

All that piece of Foras Land containing by admeasurement 2,976 square yards or thereabouts and registered by the Collector of Land Revenue under Collector's Old No. 172, Collector's New No. 13687 Old Survey No. 298, New Survey Nos.  $\frac{1}{3550}$ ,  $\frac{2}{3550}$ ,  $\frac{4D}{3550}$ ,  $\frac{3H}{3550}$ ,  $\frac{31}{3550}$  together with the messuage tenements and buildings standing thereon known by the name of "Jubilee Buildings" and assessed by the Municipality of Bombay under Ward E., Nos. 3903, 3904, 3906, 3907 and Street Nos. 90, 91, 93, 94, Sankli Street all which premises are situate at and on the South side of Sankli Street aforesaid at Byculla in the Registration District of Bombay and are bounded on the East by the properties of Pallonji Pestonji, Rustonji Hormusji Jal and the "Jesus and Mary" Convent School, on the West by the property of Moolji Jatha, on the North by Sankli Street aforesaid and on the South by the premises hereinafter described under No. 15 and which premises are in the occupation of the tenants of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata.

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**7 & 8**

**Reay House and Sandhurst House on the Apollo Reclamation, Bombay.**

All that piece or parcel of leasehold land situated on the Apollo Reclamation in the Island of Bombay containing by admeasurement two thousand and four and eight-ninths square yards and bounded as follows, that is to say, on or towards the North by Ormiston Road, on

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

or towards the South by land belonging to the Trustees of the Port of Bombay leased to the Trustees of the Jacob Sassoon Bombay Jewish Charity Fund, on or towards the East by land belonging to the said Trustees leased partly to Silas Meyer Moses and Shelim Ezekiel Shelim and partly in the occupation of Aziza Shooker Abraham and Abraham Sooker Abraham and on or towards the West by Merewether Road which said premises are assessed by the Collector of Land Revenue under No. 9560 and are situate in the Sub-Registration District of Bombay together with the two buildings thereon known as Reay House and Sandhurst House assessed by the Municipality of Bombay under Ward A, No. 878 (1-8) and Street Nos. 34, 34A, 34G and Ward No. 878 (9-16) Street No. 34H, 34O and together with the benefit of the covenant for renewal and which premises are held under a Lease from the said Trustees of the Port of Bombay, dated the 18th of December 1900 for 99 years from the 1st October 1900 and are now in the occupation of the tenants of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata.

### 9

#### **Roosevelt or Ezra House on the Apollo Reclamation, Bombay.**

*Firstly.*—All that piece or parcel of leasehold land situate on the Apollo Reclamation in the Island of Bombay containing by admeasurement five hundred and 3 square yards and three-ninths of another square yard and bounded as follows, that is to say, on or towards the North by land belonging to the Trustees of the Port of Bombay now in the occupation of William John Dundas, Archibald Robert Crawford Pitman and Leonard Walter Dickson, on or towards the South by a road known as Nowroji Furdonji Road, on or towards the East by a road known as Merewether Road and on or towards the west by the piece of land belonging to the said Trustees and next hereinafter described which said premises are assessed by the Collector of Land Revenue under No. 9560 and are situate in the Registration District of Bombay together with the buildings thereon known as Roosevelt House assessed by the Municipality under Ward A, No. 876 (1 and 2) and Street Nos. 32, 32A, and also the benefit of the covenant for renewal and also the right to keep constructed an arcade over the piece of land lying to the East of the said piece of land hereinbefore described which said premises are in the occupation of the tenants of the said Dorabjee Jamsedjee Tata and Ruttonjee Jamsetjee Tata. And *secondly*, all that piece of leasehold land also situate on the Apollo Reclamation in the Island of Bombay

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

containing by admeasurement five hundred and seventy-three square yards and three-ninths of another square yard and bounded as follows. that is to say, on or towards the North by land belonging to the said Trustees now in the occupation of William John Dundas, Archibald Robert Crawford Pitman and Leonard Walter Dickson, on or towards the South by the said Nowroji Furdonji Road, on or towards the East by the piece of land lastly hereinbefore described and on or towards the West by Tulloch Road which said last mentioned piece of land is also assessed by the Collector of Land Revenue under No. 9560 and is situate in the Registration District of Bombay and is in the occupation of the tenants of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata together with the benefit of the covenant for renewal and of an Agreement, dated the 9th of July 1900 and made between Abraham Ezra of the one part and Bishop J. M. Thoburn of the other part and which said premises hereinbefore firstly and secondly described are held under a Lease from the said Trustees of the Port of Bombay, dated the 17th day of July 1900 for 50 years from the first of August, 1898.

### 10 & 11

#### Sargent House and Jenkins House on the Apollo Reclamation, Bombay.

All that piece or parcel of land situate on the Apollo Reclamation in the Island of Bombay containing three thousand four hundred and eighty-seven and two-ninths square yards and bounded as follows, on or towards the North by Barrow Road, on or towards the South partly by Henry Road and partly by land belonging to the Trustees of the Port of Bombay occupied by Municipal Latrines, on or towards the East by Merewether Road and on or towards the West partly by land belonging to the said trustees leased to the Bombay Tramway Company and partly by the said land occupied by Municipal Latrine, which said premises are assessed by the Collector of Land Revenue under No. 9561 and are situated in the Registration District of Bombay, together with the buildings thereon known as "Sargent House" and "Jenkins House" assessed by the Municipality under Ward A, No. 880 (1) Street. No. 36 and Ward A. No. 880 (2), Street No. 36A respectively and the benefit of the covenant for renewal and also the right to construct an arcade over a piece of land lying to the East of the said piece of land and which said premises are held under a Lease from the said Trustees of the Port of Bombay, dated the 6th day of October, 1903, for 99 years from

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

the 1st day of September, 1903, and are in the occupation of the tenants of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata.

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**12 & 13**

**New Shamji Buildings and New Shamji Buildings Extension, now known as Station Terraces, Sleater Road, Bombay.**

All that piece of land of Foras tenure admeasuring two thousand two hundred and ninety square yards or thereabouts registered in the books of the Collector of Land Revenue under Collector's Old No. 355, New No.  $\frac{A}{13865}$ , Old Survey No. 193 and New Survey No. 7036 with the several messuage tenements or dwelling houses erected thereon assessed by the Municipality of Bombay under Ward No. 3683 (1), (1A), (2), (3), (4) and (5) and Street Nos. 8, 8AA, 8A, 8B, 8C, and 8D all which premises are situate at and on the South side of Sleater Road in the City and the Registration District of Bombay, and are bounded on or towards the North by the said Sleater Road, on or towards the East by the line and station of the Bombay, Baroda and Central India Railway Company, or or towards the South partly by Grant Road and partly by the Frere over-bridge and on or towards the West by the property of N. M. Hiranmanek and which premises are now in the occupation of the tenants of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata.

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**14**

**Candy House on the Apollo Reclamation, Bombay.**

All that piece of leasehold land situate on the Apollo Reclamation in the Island of Bombay containing by admeasurement 488 $\frac{8}{9}$  square yards and bounded as follows, that is to say, on or towards the North by Mandlik Road, on or towards the South by land leased by the trustees of the Port of Bombay to Shooker Abraham and Silas Benjamin and now in the occupation of the said Silas Benjamin, on or towards the East by land adjoining Merewether Road upon which the arcade hereinafter mentioned has been constructed and on or towards the West



## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

#### Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

by land leased by the said Trustees to Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata and which premises are assessed by the Collector of Land Revenue under No. 9560 and are situate in the Registration District of Bombay and assessed by the Municipality of Bombay under Ward A., No. 879 (10 and 11), Street No. 35-I, and 35-J together with all buildings thereon known as Candy House and the benefit of the covenant for renewal and together with the right to maintain and keep constructed an arcade over the said land containing by admeasurement 66 $\frac{2}{3}$  square yards or thereabouts lying to the East of the said piece of land and which premises are held under a Lease, dated the 4th of August, 1908, for the term of 40 years and 4 months from the 1st August, 1908, and are now in the occupation of the tenants of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata.

### 15

#### Land near Jubilee Buildings.

All that piece of Foras land situate near Sankli Road in the Island and Registration District of Bombay containing by admeasurement 15,228 square yards together with the messuage dwelling-houses, stables, outhouses and other buildings standing on the said piece of land and assessed by the Municipality of Bombay under Ward No. 3898 and Street No. 85, Ripon Road Ward Nos. 3899 to 3907 and Street Nos. 86 to 94 Sankli Street and Ward E. Nos. 3893 and 3894 and Street Nos. 80 and 81 Ripon Road and which piece of land is bounded on the East by the property of Pallonjee Pestonjee on the West partly by the property of Mooljee Jetha and partly by the property of Saleh Mahomed Noor Mahomed and Rahim Zenalabedin, on the North partly by the property belonging to the Executors of the Will of Jamsetjee Nusserwanjee Tata, deceased, and partly by the property of the said Mooljee Jetha, and on the South partly by the Ripon Cross Road and partly by the property of Karimbhoy Ebrahim and partly by the property of Mungaldas Ghellabhoy; which premises are in the occupation of the Trustees of the Tata Settlement No. 2 or their tenants and are registered by the Collector of Bombay under Old Numbers 72, 74, 14, 15, 191, 49, 172, 281, 191. 204, 206 and 207 and New Numbers 13569, 13571, 13514,  $\frac{D}{13710}$  13752, 13688, 13803,  $\frac{B}{13710}$ ,  $\frac{B}{13733}$ , 13728, and 13731, Old Survey Numbers 300. 299, 295, 266, and 301, New Survey Numbers  $\frac{1 \& 2}{355}$ ,  $\frac{9}{3554}$ ,  $\frac{1 \& 2}{3551}$ ,  $\frac{1A, 3C \& 4A}{355}$ ,  $\frac{3B}{3550}$  and  $\frac{6A}{3554}$ .

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

#### 16 & 17

##### Land near "Albion Place" and "Alexandra Terrace."

All that piece of land containing by admeasurement 10,171 square yards or thereabouts registered by the Collector of Bombay with other land under Collector's Old No. 111, New No. 16342, Old Survey No. 703 and New Survey No. 3651 situate at Byculla on the Eastern side of Parel Road in the City and Registration Sub-District of Bombay together with the messuage tenements and dwelling houses standing thereon and is bounded as follows:—On or towards the East by the property of F. C. Bennett, on or towards the West by Parel Road, on or towards the North by the property of Shallis Sassoon and on or towards the South partly by the land belonging to the executors of the Will and Codicils of the late Jamsetjee Nusserwanjee Tata upon which certain buildings known as "Albion Place" and "Alexandra Terrace" are standing and partly by the property of G. E. Pilcher and which said piece of land is in the occupation of the Trustees of Tata Settlement No. 2 or their Lessees, subject to but with the benefit of the hereinafter mentioned Leases of the several pieces of land respectively and measuring collectively 3,423 $\frac{3}{4}$  square yards and the dwelling houses thereon, subject to the rights granted by the said Leases over the private road, gullies and passages and also subject to but with the benefit of the hereinafter mentioned Agreements relating to encroachments and projections by the Lessees or their Assignees over the said private road or passages or adjoining land, namely:—

No. of Plot.	Dates of Leases and Agreements and terms of years granted by Leases.	To whom Lease granted.	Area in sq. yds.	Rent per month.
				Rs. A. P.
1	Lease, dated 23rd March, 1888, for 50 years, from 1st January, 1888, with right of renewal.	Hajee Cassam Tar Mahomed.	714 $\frac{1}{2}$	37 3 7
	Agreement, dated the 13th of March, 1907, with the Assignees of the Lessee.	.. ..	...	1 0 0
2	Lease, dated the 23rd March, 1888, for 50 years from the 1st January, 1888, with right of renewal.	Oomer Peer Mahomed.	714 $\frac{1}{2}$	37 3 7
	Agreement, dated the 24th of September, 1907, with the Assignee of the Lessee.	.....	...	1 0 0

# Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

No. of Plot.	Dates of Leases and Agreements and terms of years granted by Leases.	To whom Lease granted.	Area in sq. yds.	Rent per month.
				Rs. A. P.
3	Lease, dated the 23rd March, 1888, for 50 years from the 1st January, 1888, with right of renewal.	Hajee Habib Ahmed.	714 $\frac{2}{3}$	37 3 7
	Agreement, dated 29th of August, 1905, with the Assignee of the Lessee.	.....	...	1 0 0
4	Lease, dated the 21st January, 1889, for 50 years from the 1st of October, 1888, with right of renewal.	Cawasji Edulji Shroff.	303 $\frac{1}{2}$	15 0 4
	Agreement, dated 1st July 1907	.....	...	1 0 0
	Lease, dated the 29th January, 1899, for 50 years, from the 1st January, 1889, with right of renewal.	...	303 $\frac{1}{2}$	13 0 6
5 & 5a	Lease, dated the 1st August, 1891, for 50 years, from the 1st May, 1889, with right of renewal.	Pestonjee Jahangir Khambatta.	75 $\frac{2}{3}$	3 5 9
	Agreement, dated the 6th of February, 1907.	.. ..	...	1 8 0
6	Lease, dated the 15th July, 1891, for 50 years, from the 1st of February, 1889, with right of renewal.	Dossabhai Pestonjee Khambatta.	597	21 9 3
	Agreement, dated the 31st of January, 1907.	.....	...	1 0 0
			3,423 $\frac{2}{3}$	

### Land at Parel Tank Road (Wagheshri Hill).

*Firstly.*—All that piece of land admeasuring 67,057 square yards or thereabouts (whereof 7,021 square yards in Government Toka land.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI of 1890).

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

and 2,189 square yards is recently assessed Government land and the remaining is Inam land) situate at Parel on the public road leading to Parel Government tank (and called the Parel Tank Road) and bounded on the East partly by the property of Muncherji Framji Cama and partly by that of Dorabjee Cursetji Shroff and Hormusji Shapurji, on the West by the said Road, on the North partly by a public Road leading from the said Parel Tank Road to the Sewree Cemetery called the Wagheshri Road, partly by a Dhurumsala and partly by the property of Sonar Gordhan Gopal, the Chankadevi Temple, and the property of Pandurang Raghoba Krishnaji and on the South by a public path called "Gowan" leading from the said Parel Tank Road to the property of the said Dorabjee Cursetji Shroff and Hormusji Shapurji and others and that portion whereof which is held on Toka tenure as aforesaid, being assessed by the Collector of Land Revenue under Collector's Old No. 29, New No. 14151 and New Survey No. २४३२ and that portion thereof which is newly assessed Government land as aforesaid, is assessed by the Collector of Land Revenue under Collector's Old No. 88, New No. 16578, and new Survey No. २४३३ together with the messuage tenements and chawls standing thereon, assessed by the Municipality under Ward Nos. 1134, 1134 (1), 1135 (1), 1135 (2), 1136 and 1145 and Street Nos. 62, 63, 63a and 64.

*Secondly.*—All that piece of vacant Inam land admeasuring 6,005 square yards or thereabouts situate at Parel and bounded on the East by the property of the Indo-China Mill Company, Limited, on the West by the Chankadevi Road leading to the Hindoo burial ground of the said locality, on the North by the Public passage or Gowan above referred to and on the South by the said burial ground and which said premises are assessed by the Municipality under Ward No. 1113 and Street No. 41.

*Thirdly.*—All that piece of vacant land of the Government Toka tenure containing by admeasurement one thousand and fifty-eight square yards or thereabouts registered by the Collector of Land Revenue under Collector's Old No. 64, Collector's New No. 14205 and New Survey No. २४३३, and assessed by the Municipality of Bombay under Ward F. No. 1144 (2) and Street No. 72 situate at and on the South side of Golangy Hill Road at Parel in the City and Registration District of Bombay and bounded on or towards the East by the property hereinafter fourthly described, on or towards the West by the Municipal Latrines, on or towards the North by the said Golangy Hill Road and on or towards the South by the property of the said Dorabjee Jamssetjee Tata and Ruttonjee Jamssetjee Tata, and

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

*Fourthly.*—All that piece of vacant Government Toka land containing by admeasurement five hundred sixty-six square yards or thereabouts and registered by the Collector of Land Revenue under Collector's Old No. 64, Collector's New No. <sup>a</sup> and New Survey No. 5775, and assessed by the Municipality of Bombay under F. Ward No. 1144 (1) and Street No. 72 situate at and on the South side of Golangy Hill Road at Parel in the City and Registration District of Bombay and bounded on or towards the East by the property of late Jairam Luxuman, on or towards the West by the property herein above thirdly described, on or towards the North by the said Golangy Hill Road and on or towards the South by the property of the said Droadjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata; all which premises are in the occupation of the tenants of the Trustees of Tata Settlement No. 2.

### SCHEDULE B.

1. As regards the property numbered 14 in the said Schedule A, with benefit of a covenant by the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata to be entered into by them with the Treasurer of Charitable Endowments for the territories subject to the Government of Bombay that they will not for the period of ten years next after the date of the vesting of the said property numbered 14 in the said Treasurer of Charitable Endowments, build or permit to be built upon the plot of land measuring 838 square yards or thereabouts next adjoining the said property numbered 14 to the West and held by them (with another plot measuring 837  $\frac{7}{8}$  square yards or thereabouts) under a Lease, dated the 4th August 1908 from the Trustees of the Port of Bombay for the term of 40 years and 4 months from the 1st day of August, 1908, at the rents therein mentioned and now vacant and unbuilt upon and will, upon the expiration of the said period of ten years, if so required by the said Treasurer of Charitable Endowments or the person or persons to be appointed to administer and manage the said properties on behalf of the Indian Institute of Science hereinbefore mentioned as provided in 'Schedule H' hereinafter annexed, assign or otherwise transfer to the said Treasurer of Charitable Endowments the said plot next adjoining the property numbered 14 for the leasehold interest therein as aforesaid of them the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata (including the benefit of the covenant for renewal in the said lease contained) subject only to a moiety of the said rents payable to the said Trustees of the Port of Bombay in respect of the said two plots of land under the said lease and any renewal thereof and will indemnify the said Treasurer of

<sup>a</sup> *Infra*, p. 24.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

Charitable Endowments and the said adjoining plot from the remaining moiety of the said rent provided that it shall be at the option of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata, in lieu of the covenant aforesaid, to enter into an absolute covenant with the said Treasurer of Charitable Endowments, that they the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata will not at any time during the said term or any renewal thereof build upon the said plot next adjoining the property numbered 14 or permit the same to be built upon in any manner whatsoever, and that they will pay the rents and perform and observe the covenants and conditions reserved and contained in the said Lease and any renewal thereof such covenant to be framed in such manner as to run with and bind the said adjoining plot of land so long as they the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata or any person or persons claiming or deriving title through them shall be the lessees or lessee thereof under the existing or any renewed lease.

2. As regards the property numbered 15 in the said Schedule A, *viz.*, a piece of land near Jubilee Buildings, Bombay, with three bungalows thereon, subject to and with the benefit of an agreement by the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata to take a lease from the said Treasurer of Charitable Endowments of such property for a term of 99 years from the date of the vesting of such property in the said Treasurer of Charitable Endowments with a right of renewal for a like period at a fixed rent of Rs. 2,470 per annum, such Lease to contain besides the covenants usual and proper in the case of a lease of property of a like nature, covenants (a) by the said Treasurer of Charitable Endowments to allow the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata and their assigns and tenants to use at all times during the continuance of such Lease in all lawful ways the road now existing to the East of the property known as Jubilee Buildings and numbered 6 in Schedule A, and (b) by the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata with the said Treasurer of Charitable Endowments that they will within 7 years from the date of the said Lease erect and maintain upon the said land good and substantial buildings of the value of Rs. 85,000 at the least with liberty to them to demolish and remove the said existing bungalows and their outhouses and will not until such buildings have been erected assign the said Lease without the previous consent of the said Treasurer of Charitable Endowments and the person or persons so to be appointed as aforesaid to administer and manage the said properties.

3. As regards the properties numbered 16 and 17 in the said Schedule A, subject to and with the benefit of an agreement by the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata to take a Lease from the

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890)

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

said Treasurer of Charitable Endowments of such properties for a term of 99 years from the date of the vesting of such properties in the said Treasurer of Charitable Endowments with a right of renewal for a like period at a fixed rent of Rs. 3,965 per annum being Rs. 1,975 per annum for the property numbered 16, and Rs. 1,990 per annum for the property numbered 17, such Lease to contain all covenants usual and proper in a lease of property of a like nature and to be granted subject to but with the benefit of the existing leases and agreements referred to in Schedule A although unregistered counterpart leases only will be handed over to the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata.

4. As regards the properties numbered 18 in the said Schedule A, subject to and with the benefit of an agreement by the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata to take a Lease from the said Treasurer of Charitable Endowments of such properties for a term of 99 years from the date of the vesting of such properties in the said Treasurer of Charitable Endowments with a right of renewal for a like period, at a fixed rent of Rs. 1,652 per annum, such Lease to contain all covenants usual and proper in a lease of property of a like nature and to be subject to any defect in the Lessor's title to the two pieces of land measuring 1,058 square yards and 566 square yards.

5. As to all the said properties described in the said Schedule A, with the benefit of an agreement by the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata to give a guarantee to the said Treasurer of Charitable Endowments secured as hereinafter mentioned, limited to the sum of Rs. 8,000 per annum, that the total net annual income of all the said properties (to be certified in case of need by the person or persons so to be appointed as aforesaid to administer and manage the said properties) shall amount in each and every of the first ten years calculated from the date of the said properties so being vested as aforesaid to not less than the sum of Rs. 1,25,000 but so nevertheless that the liability of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata under such guarantee shall not be cumulative and shall accordingly be limited in each of the said ten years, not only to Rs. 8,000 but also to the supplementing the said annual income in that year to the extent only to which it shall fall short of Rs. 1,25,000, so as if and so far, but so far only, as the sum of Rs. 8,000 shall suffice therefor to make up the same to Rs. 1,25,000, such guarantee to be conditionally renewable after the expiration of the said period of ten years as hereinafter mentioned and to be secured by a mortgage upon certain property of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata situated at Khar Road, Bandora, to be effected by a deed in proper form to be

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

executed by them, the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata in favour of the said Treasurer of Charitable Endowments in which deed shall further be comprised prescribed and declared the trusts and powers upon, with and subject to which the said property shall be held by the said Treasurer of Charitable Endowments for the purpose of enforcing and rendering effectual the said guarantee or otherwise for the purposes thereof or incidental thereto and also the circumstances and conditions in and upon which (in terms of or in accordance with the Report, dated the 3rd March 1904 of G. R. Lowndes, Esquire, upon the said guarantee and supplemental to his award, dated the 4th March 1904) the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata may be required, on the expiration of the said period of ten years, to renew the said guarantee in whole or in part with the same security and the manner in which (also in terms of and in accordance with the said Report) it shall be determined whether, and if so, the extent to and terms upon which they may be so required.

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### SCHEDULE C.

The lands comprised within the boundaries defined below and forming part of the catchment area of Sankey's Reservoir, Bangalore.

The boundary line on the east commences from the point where the nulla to the north of the Sankey's Reservoir Pontoon shed joins the tank bed, and thereafter runs northward along the Sankey's Reservoir bed, crosses the road leading from the Butts to the Tumkur Road, and joins the feeder channel of the Reservoir just above this road. This channel thereafter becomes the boundary along the remaining portion of the east, and along the north and west till it meets the old Tumkur Road running behind the Maharaja's Mills. The boundary to the south is the continuance of the road along Sankey's Reservoir to the junction of the present Tumkur Road and thence along the proposed road to meet the old Tumkur Road.

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### SCHEDULE D.

No. G. 5639-G. M.—232—06-9, dated 14th March, 1907.

Whereas the lands described in the annexed Schedule, and measuring approximately 371 acres and 16 guntas, are required for the purpose of



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

locating the Indian Institute of Science associated with the name of the late Mr. J. N. Tata.

His Highness the Maharaja of Mysore is pleased to assign to the Governor General of India in Council, with effect from the 14th day of March 1907, the exclusive management of, and full jurisdiction over, the said lands for so long as the said lands are used for the purpose aforementioned.

V. P. MADHAVARAO,

*Dewan of Mysore.*

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**SCHEDULE E. *Collectively.***    €.

No <sup>1046</sup>  
Ed. (90-04)-II.

From—B. K. VENKATA VARADA IYENGAR, Esq.,

Secretary to the Government of His Highness the  
Maharaja of Mysore, General and Revenue  
Department.

To—B. J. PADSHAH, Esq.,

Honorary Secretary,  
Provisional Committee for the Indian Institute  
of Research, Bombay.

*Bangalore, the 26th July, 1905.*

GENERAL AND REVENUE SECRETARIAT.

SIR,

I am directed to acknowledge the receipt of your letter, dated the 25th April, 1905, as well as Mr. D. J. Tata's letter of the 5th May last, representing again that the Mysore Government grant to Mr. Tata's Indian Institute of Research is insufficient, and requesting for an increase. In reply, I am to state that the Government of Mysore consider that the facts and figures now furnished in your letter go to show that the estimate of expenditure made by Sir William Ramsay and Professor Masson and Colonel Clibborn do not include all the items to be provided,

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

and that they are in some cases under estimate also. At the same time, it is found that in their letter of the 28th February last to the Bombay Government, the Government of India have stated that the endowments yield annually Rs. 1,25,000, and that this amount, with the Mysore grant of Rs. 30,000 and the Government of India grant of Rs. 77,500 (total Rs. 2,32,500) is sufficiently liberal for the present purposes of the Institute. In the same paragraph the Government of India have also expressed themselves willing to raise their contribution to 1½ lakhs of rupees as other assets increase. In these circumstances, the Government of His Highness the Maharaja of Mysore consider that it is enough to raise the Mysore grant from Rs. 30,000 to Rs. 50,000 per annum, and they are accordingly pleased to offer this latter amount, provided no further increase is asked for or expected, and the location of the Institute is in Bangalore.

I have the honour to be,

Sir,

Your most obedient servant,

(Sd.) B. K. VENKATA,

*Secretary.*

No.  $\frac{6723}{\text{Ed. (40-65)-5}}$ .

From—B. K. VENKATA VARADA IYENGAR, Esq.,

Secretary to the Government of His Highness the  
Maharaja of Mysore, General and Revenue

Department,

To—B. J. PADSHAH, Esq.,

Honorary Secretary,

Provisional Committee for the Indian Institute  
of Research, Bombay.

*Bangalore, dated the  $\frac{26th}{28th}$  December, 1905.*

GENERAL AND REVENUE SECRETARIAT.

Sir,

Advertising to your letters, dated the 31st July and 15th December, 1905, regarding the time during which the Mysore grant to the Indian

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

Institute of Research is tenable. I am directed to state that the annual grant of Rs. 50,000 is *without any limit of time*, but is contingent upon the location of the Institute in Bangalore as already intimated in the letter of the 7th August, 1905, addressed to you by the Dewan of Mysore.

I have the honour to be,

SIR,

Your most obedient servant,

(Sd.) H.

for Secretary.

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SCHEDULE F.

OFFICE OF THE DEWAN OF MYSORE.

*Dated Bangalore, 16th November, 1901.*

From—H. V. NANJUNDAYYA, Esq.,

Secretary to the Government of Mysore,  
General and Revenue Department,

To—B. J. PADSHAH, Esq.,

Honorary Secretary,  
Provisional Committee for the Institute of  
Research.

SIR,

I am directed to acknowledge your letter, dated 13th November, 1901, and to thank you for conveying the information that Professor Masson and Colonel Clibborn have authorised you to say that any plan they might suggest will not depart from the principles laid down by Professor Ramsay in his report, and that their plan will lose sight neither of the industrial aspects of Scientific research nor the duty of linking Scientific research with the special problems which the surroundings of the Institute, whatever its home, naturally offer for solution.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

2. I send herewith a plan of the site. You will find that the extent is 371 aeres and 11 guntas, of which 37 aeres and 24 guntas are now under occupation, and will be acquired if needed for the purposes of the Institute. This, it may be observed, is the first time that the site to be handed over to the Institute has been located definitely, and it is satisfactory that Colonel Clibborn and Professor Masson found the land acceptable both on account of its position and the other advantages which it commands. This site, together with the buildings to be constructed thereon, will be absolutely at the disposal of the Provisional Committee, and of the governing body of the Institute, so long as the purposes for which the grant is made are being substantially fulfilled.

3. With regard to the question of transferring jurisdiction to the Government of India, I am to state that this matter will form the subject of a communication to the Honourable the British Resident in Mysore, along with the share which should be reserved to the Government of Mysore in the management of the Institution.

4. The sum of five lakhs will be provided for building as soon as the arrangements to start work are completed; and the Government would go further and undertake to get the work done under the superintendence of its public works officers according to properly approved plans, if such a course would be considered an additional help.

5. Concerning the request for an annual grant for maintenance, Government have already placed you in possession of their views, and would communicate again on the subject after learning the results of further development of the scheme, and the final shape that it would assume under the sanction of the Government of India.

In conclusion, I am to assure you of the continued interest of the Mysore Government in the success of the scheme, which they trust will soon be inaugurated on a satisfactory basis.

I have the honour to be,

SIR,

Your most obedient servant,

(Sd.) H. V. NANJUNDAYYA,

Secretary.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

#### SCHEDULE G.

Extract from letter from the Government of India, to the Government of Bombay, No. 156, dated 23th February, 1905.

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5. The question of the financial resources immediately available for starting the Institute is examined in paragraphs 15 to 18 of my letter of 1st May, 1903. The Government of India then undertook (in addition to the annual grant of £2,000 which they had already promised) to contribute for a period of ten years any further sum that might be required to make up, together with the Mysore grant, one-third of the current expenditure of any year subject to a maximum of £5,000. It was subsequently explained that the Government of India grant would take either of the following forms according as the Provisional Committee might elect, but that the election once made would hold good for the term of ten years—

- (a) an annual grant for ten years equal in amount to the Mysore grant, but subject to a maximum of Rs. 50,000, or
- (b) a grant in each of the ten years equal to one-third of the total expenditure of the year less Rs. 30,000, subject to a minimum of Rs. 30,000, and a maximum of Rs. 45,000.

It was added that no expenditure upon travelling fellowships could be included in the total expenditure of the year. Liberal as was the aid thus promised, the Government of India, after personal consultation with Mr. Dorabji J. Tata, have now reconsidered the matter, and have agreed to increase it substantially. Rule 6 of the grant-in-aid code for schools and colleges in Bombay lays down that a Government grant-in-aid shall in no case exceed half of the local assets or one-third of the total expenditure of an institution during the previous official year. Applying this rule to the statement of sums available for current expenditure given in paragraph 16 (2) of my letter of 1st May, 1903, the Government of India are willing to regard as local assets the sum of Rs. 1,25,000 derived from the endowment properties and the grant-in-aid of Rs. 30,000 promised by the Mysore Durbar, in all Rs. 1,55,000; and to make a grant-in-aid of one-half of this sum or Rs. 77,500 being the maximum admissible under the rule cited above. This will be given without limit of time, subject merely to the condition that the scheme of management of the institution is approved as regards its general principles by the Government of India, and is conformed to by the governing body of the Institute. They are further willing to raise their contributions from time to time, as the local assets available increase by endowments or contributions, provided that the amount of the grant shall

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

not exceed one-half of the local assets, and shall be subject to a maximum of Rs. 1,50,000. The term "local assets" will be limited to permanent contributions from private individuals or Native States based upon assignments of capital funds, and will not be held to include subsidies from Local Governments or occasional subscriptions of a temporary character. The immediate effect of this concession will be that the Institute will have available for the purpose of its operations a working income of Rs. 2,32,500 as compared with Rs. 1,75,000 mentioned by Sir William Ramsay in the report referred to in my letter of 1st May, 1903, as the minimum sum required for an adequate commencement. It is believed that with an assured income of this amount the governing body will be in a position to procure the most competent teachers of the subjects dealt with in the Institute, to retain their services for long periods, and to found research scholarships for the encouragement of students. They will in fact be able to carry on their operations on a scale commensurate with the high aims which the founder of the endowment is believed to have had in view.

6. The initial expenditure accepted by the Provisional Committee of the Institute as sufficient to provide the buildings and fittings required is stated in paragraph 15 of my letter of 1st May, 1903, to amount to Rs. 6,57,600. Towards this the Mysore State have undertaken to contribute Rs. 5,00,000, and have promised to allow their Public Works Department to assist in designing and constructing the buildings. In May, 1903, the Government of India expressed their willingness to contribute a sum of Rs. 1,00,000. They have now decided, following the analogy of the grant-in-aid rule quoted above, to offer a contribution of one-half of the Mysore grant of Rs. 5,00,000. Thus the governing body of the Institute will at once have at their disposal Rs. 7,50,000 for the purpose of constructing buildings estimated to cost Rs. 6,57,000.

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### SCHEDULE H.

In the matter of the Charitable Endowments Act (VI of 1890) and

In the matter of the Indian Institute of Science.

**Scheme for the Administration and Management of the Properties and Funds of the Indian Institute of Science.**

WHEREAS by a Vesting Order made by the Governor General of India in Council under the powers conferred by the Charitable Endow-

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.****THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—contd.**

ments Act (VI of 1890), by notification<sup>1</sup> No. 433 in the *Gazette of India* published on the twenty-seventh day of May, 1909, certain immoveable properties in Bombay (particularly described in Schedule A to the said Vesting Order) were on the application of Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata vested in the Treasurer of Charitable Endowments for the Territories subject to the Government of Bombay upon the terms as to the application of the same and the income thereof therein set forth, that is to say, that the income of the said properties or of any other investments for which they may be exchanged under section 10 of the Charitable Endowments Act, 1890, shall be collected and received by the persons appointed for the purpose under a Scheme therein referred to and settled under section 5 of the said Act being this present Scheme and applied in accordance with the provisions of such Scheme. NOW it is hereby declared that the terms of the Scheme so settled as aforesaid are as follow :—

1. The corpus of the immoveable properties in Bombay particularly described in Schedule A hereto annexed shall remain intact subject only to a power of realisation for the purposes of changes of investment. Such changes the said Treasurer of Charitable Endowments shall be at liberty to make, but only on the recommendation of the Board of Management hereinafter mentioned and in accordance with section 10 of the Charitable Endowments Act and not otherwise.
2. The net income of the said properties or of any other investments for which they may be exchanged shall be devoted to the establishment and maintenance of the said Institute, and shall be collected and received as hereinafter mentioned, and paid to the Council hereinafter mentioned.
3. The object of the Institute shall be to establish Chairs and Lectureships in Science and Arts especially with a view to the promotion of original investigations in all branches of knowledge and their utilisation for the benefit of India, and to provide and to assist in the provision of suitable libraries, laboratories, and all other necessary appliances.
4. The Institute shall have the power to take over from Government and other public bodies or private individuals willing to transfer the same all such libraries, laboratories, museums, collections, together with any endowments or other funds,

<sup>1</sup> *Supra*, p. 1.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

appertaining to them, together with any attendant obligations and engagements, if any, provided always that the Institute does not become affiliated to or grant affiliation to or incur responsibility for other institutions.

5. The Institute shall have power to apply to students at any time preliminary to or during the time that they are attendant on its courses such tests as shall be from time to time prescribed. It shall have the power to confer the title of Fellow or Associate and to endow such Fellowships or Associateships and to grant certificates to students who have completed the prescribed courses of study.
6. The management of the Institute shall vest in—
  - (a) The Patron and the Vice-Patrons.
  - (b) A Court of Visitors.
  - (c) A Council.
  - (d) A Senate.
7. His Excellency the Viceroy of India for the time being shall be *ex-officio* Patron of the Institute.
8. The Heads of the Local Governments of India for the time being shall be *ex-officio* Vice-Patrons of the Institute.
9. The Court of Visitors shall consist of the following persons, namely:—

*Firstly.*—Two representatives of the Government of India.

*Secondly.*—Two representatives of the Government of His Highness the Maharaja of Mysore.

*Thirdly.*—The said Dorabjee Jamsetjee Tata during his life and after his death and during the life of such person as shall be appointed or indicated in that behalf in any instrument in writing executed by him during his life-time or in his last will or any codicil thereto the nominee of such person.

*Fourthly.*—The said Ruttonjee Jamsetjee Tata during his life and after his death and during the life of such person as shall be appointed or indicated in that behalf in any instrument in writing executed by him during his life-time or by his last will or any codicil thereto the nominee of such person.



Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

*Fifthly.*—Two representatives of the said Dorabjee Jamsetjee-Tata and Ruttonjee Jamsetjee Tata or the survivor of them or after their death of the nearest major male descendant for the time being of Nusserwanjee Ruttonjee Tata, the father of the said Jamsetjee Nusserwanjee Tata, or, if there be more than one such major male descendant in an equal degree of propinquity to the said Nusserwanjee Ruttonjee Tata then of the eldest of such male descendants in the eldest line from the said Nusserwanjee Ruttonjee Tata. In the case of dispute as to who shall be called such descendant for the purpose of the nomination aforesaid, the same shall be referred to the <sup>1</sup>[Governor General of India in Council] whose decision shall be binding and conclusive.

*Sixthly.*—One nominee of each donor of a capital sum of not less than Rs. 2,00,000.

*Seventhly.*—One nominee of each person who shall agree to pay annually a sum of not less than Rs. 15,000, for a period of not less than five years. The right of nomination shall not extend beyond the period of such donation.

*Eighthly.*—Persons appointed by the Patron not exceeding six in number.

*Ninthly.*—One person appointed by each of the Vice-Patrons.

*Tenthly.*—The Director-General of Education in India for the time being and the Directors of Public Instruction to the Local Governments of India for the time being.

*Eleventhly.*—The Director and all the Professors but not the Assistant Professors of the Institute.

*Twelfthly.*—One representative elected by the Senate of each of the Universities of India established and incorporated by Act of the Governor General of India in Council.

*Thirteenthly.*—Representatives of Science and learning in India not exceeding ten in number elected by the Council.

<sup>1</sup> These words were substituted for the word "Patron" by Notification No. 168, dated 23rd February, 1916, see Gazette of India, 1916, Pt. I, p. 220.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

10. The Council shall consist of the following persons, namely:—

*Firstly.*—The Director *ex-officio*.

*Secondly.*—Professors (but not the Assistant Professors) of the Institute, not exceeding four in number nominated by the Senate.

*Thirdly.*—One representative of the Government of India.

*Fourthly.*—One representative of the Government of His Highness the Maharaja of Mysore.

*Fifthly.*—One representative of the said Dorabjee Jamsetjee Tata and after his death the representative of such person or persons as shall be appointed or indicated or after the death of such appointee in that behalf by any instrument in writing executed by him during his life-time or by his last will or any codicil thereto, and in default of such appointment or indication, representative of the nearest major male descendant for the time being of Nusserwanjee Ruttonjee Tata, the father of the said Jamsetjee Nusserwanjee Tata, or, if there be more than one such major male descendant in an equal degree of propinquity to the said Nusserwanjee Ruttonjee Tata, then of the eldest of such male descendants in the eldest line from the said Nusserwanjee Ruttonjee Tata. In the case of dispute as to who shall be called such descendant for the purpose of the nomination aforesaid, the same shall be referred to the <sup>1</sup>[Governor General of India in Council] whose decision shall be binding and conclusive.

*Sixthly.*—One representative of the said Ruttonjee Jamsetjee Tata and after his death the representative of such person or persons as shall be appointed or indicated or after the death of such appointee in that behalf by any instrument in writing executed by him during his life-time or by his last will or any codicil thereto, and in default of such appointment or indication, the representative of the nearest major male descendant for the time being of Nusserwanjee Ruttonjee Tata, the father of the said Jamsetjee Nusserwanjee Tata, or, if

<sup>1</sup> These words were substituted for the word "Patron" by Notification No. 168, dated 23rd February, 1916, see Gazette of India, 1916, Pt. I, p. 220.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Tata Instituto of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

there be more than one such major male descendant in an equal degree of propinquity to the said Nusserwanjee Ruttonjee Tata, then of the eldest of such male descendants in the eldest line from the said Nusserwanjee Ruttonjee Tata. In the case of dispute as to who shall be called such descendant for the purpose of the nomination aforesaid, the same shall be referred to the <sup>1</sup>[Governor General of India in Council] whose decision shall be binding and conclusive.

*Seventhly.*—Three nominees of the Court of Visitors.

11. The Senate shall consist of the Director as Chairman, the Professors, and such Assistant Professors and readers as the Council acting on the recommendation of the Senate may appoint.

12. The administration of the properties in Bombay shall be vested in a Board of Management consisting of—

*Firstly.*—The Collector of Bombay for the time being or such other officer as the Government of Bombay may appoint.

*Secondly.*—One representative of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata or of the survivor of them or after their death of the nearest major male descendant for the time being of Nusserwanjee Ruttonjee Tata, the father of the said Jamsetjee Nusserwanjee Tata, or, if there shall be more than one such male descendant in an equal degree of propinquity to the said Nusserwanjee Ruttonjee Tata, then of the eldest of such male descendants in the eldest line from the said Nusserwanjee Ruttonjee Tata. In the case of dispute as to who shall be called such descendant for the purpose aforesaid, the same shall be referred to the <sup>1</sup>[Governor General of India in Council] whose decision shall be binding and conclusive.

*Thirdly.*—One nominee of the Government of Bombay who shall be a merchant of high standing resident in Bombay.

13. Every member of the Court of Visitors, other than *ex-officio* members, shall hold office for five years from the commencement of the year in which the appointment is made, and at

<sup>1</sup> These words were substituted for the word "Patron" by Notification No. 168, dated 23rd February, 1916, *see* Gazette of India, 1916, Pt. I, p. 220.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

*Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—contd.*

the end of his term of office shall be eligible for re-appointment, but in order to obviate difficulties owing to the demission from office of all the members other than *ex-officio* members at one time, certain of those first appointed shall hold office as follows:—

(a) Those persons first appointed by the Patron shall hold office for four years.

(b) Those persons first appointed by the Vice-Patrons shall hold office for three years.

14. Every member of the Council not being an *ex-officio* member shall hold office for three years from the commencement of the year in which the appointment was made, and at the end of each term of office shall be eligible for re-appointment.
15. Every member of the Board of Management shall hold office for three years from the date of his appointment, and at the end of each term of office shall be eligible for re-appointment.
16. Any member of the Court of Visitors except the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata or any member of the Council or of the Board of Management who is continuously absent from India for more than one year shall be considered to have resigned his office. In the case in which the appointment is made or confirmed by the Patron, he shall have power to re-instate the individual holding the appointment in his office.
17. In the event of the death or resignation of any of the persons of whom the Court of Visitors, the Council or the Board of Management shall consist before the term of office of such persons has expired, the person or authority by whom the original appointment was made may appoint another person to hold office for the unexpired residue of the term for which the person dying or resigning was originally appointed.
18. No vacancy in the Court of Visitors, the Council or the Board of Management shall invalidate the acts done or the business transacted by those bodies during the period of vacancy or vacancies, and all acts done or business transacted by the members of the Court of Visitors or of the Council or of the Board of Management, as the case may be, present at a meeting, shall be valid notwithstanding any defect there may be in the constitution of such Court, Council or Board.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

19. The Council shall be the executive body of the Institute subject to the conditions laid down in these regulations.

20. Subject to these regulations the Council shall frame bye-laws dealing with the following matters:—

- (1) The quorum to be required at meetings of the Council and Senate and the conduct of business at such meetings.
- (2) The date of commencement and the duration of the Session of the Institute and the date of commencement and duration of the terms into which the Session may be divided.
- (3) The finances, investments and accounts of the Institute.
- (4) The payment and amount of fees to be exacted within the Institute.
- (5) The terms and tenure of appointment, duties, emoluments, allowances and superannuation allowances of the Director, the Professors and other officers of the Institute and its permanent servants.
- (6) The rules of discipline to be observed within the Institute.
- (7) The courses of study and research within the Institute.
- (8) The award of Certificates and of the title of Fellow or Associate whether honorary or endowed.
- (9) The admission of students to the Institute.
- (10) The person or persons by whom and the form in which contracts by or on behalf of the Institute may be entered into varied or discharged and documents signed or executed.
- (11) All such other matters as may be required or authorised under these regulations.

Such bye-laws and any additions to or alteration in the same when sanctioned by the <sup>1</sup>[Governor General of India in Council] shall be effective and binding, and subject thereto four members of the Council or two members of the Senate shall form a quorum.

21. The net income derived from the properties as provided in clause 39 of these regulations from the grants made to the Institute by the Government of India and by the Government of His Highness the Maharaja of Mysore and from all

<sup>1</sup> These words were substituted for the word "Patron" by Notification No. 168, dated 23rd February, 1916, *see* Gazette of India, 1916, Pt. I, p. 220.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

other sources shall be received by the Council and shall be dealt with in the manner provided in these regulations or under bye-laws. The Council shall regulate the expenditure and manage the accounts of the Institute which shall be audited annually and in such a manner as the Patron shall direct.

22. Any subscriptions or annual donations for the purposes of the Institute shall be received by the Council and shall be treated as part of the income for the year in which they are received. No subscriptions or donations shall be accepted if they are accompanied by conditions inconsistent or in conflict with the nature, objects and provisions of this Scheme.
23. The Council shall have charge of the unapplied income belonging to the Institute, and shall have power to utilise such unapplied income in the purchase of Government Promissory Notes or other public Securities admissible under the Indian Trusts Act which shall be vested in the said Treasurer. Such unapplied income shall be available for expenditure in the next or in any subsequent year, but it shall not be taken into account in calculating the amount to be contributed in such subsequent years by the Government of India.
24. The Council shall have the power to accept funds or properties for the purposes of endowment of the Institute provided that such funds or properties are unaccompanied by conditions inconsistent with the nature, objects or provisions of this scheme. Such funds or properties shall be vested in the said Treasurer under the terms and conditions as to the application thereof provided in section 2 of these regulations.
25. The Council shall for every appointment of a Director subsequent to the appointment of Dr. MORRIS W. TRAVERS, F.R.S., who is hereby appointed the first Director of the Institute with effect from the 16th November, 1906, and also of a Professor in any branch of learning for which a Chair exists or is created subsequent to the appointment of Dr. A. HAY, D.Sc., M.I.E.E., Professor of Electrical Technology, and NORMAN S. RUDOLF, Esq., M.Sc., F.I.C., Professor of Applied Chemistry, who are hereby appointed to be Professor of Electrical Technology and Applied Chemistry respectively, with effect from the 30th January,

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

1908, nominate a Committee to assemble in England. Two members of such Committee shall whenever practicable be representatives of that branch of learning in which the appointment is to be made. The Committee shall send a name or names together with their recommendations to the Council.

26. The Senate may suggest to the Council the name of any person teaching or superintending a course of study or research in connection with the Institute for the appointment referred to in the last section, and the Council shall submit such suggestion to the Committee.
27. The Council shall make the appointment from among the persons so recommended, and such appointments shall be subject to confirmation by the Patron.
28. Appointments on the teaching staff below the rank of a Professor shall be made by the Council subject to confirmation by the Patron. In making such appointments, the Council shall consider the recommendations of the Senate.
29. In cases in which financial or other considerations do not admit of the appointment of a Professor or an assistant Professor, the Council acting on the recommendation of the Senate may appoint a Reader in any Branch of learning for a limited period.
30. The Council shall regulate the admission to the Institute of students and of other persons who may apply for permission to make use of its laboratories and libraries. Certificates of study shall be granted by the Council, and Fellowships shall be conferred <sup>1</sup>[by the Council subject to the approval of the Patron to be obtained by the Council previously to the granting of any Fellowship.]
31. The Council may on its own initiative suspend any Student, Fellow or Member of the Teaching Staff of the Institute, and may also dismiss any Student, Fellow or Member of the Teaching Staff other than the Director or a Professor, but no Director or Professor shall be dismissed without the sanction of the <sup>2</sup>[Governor General of India in Council]. On requisition being made by the Standing Committee hereinafter constituted to the <sup>2</sup>[Governor General of

<sup>1</sup> These words were substituted for the words [subject to confirmation by the Patron] by Notification No. 168, dated 23rd February, 1916, see Gazette of India, 1916, Pt. I, p. 220.

<sup>2</sup> These words were substituted for the word "Patron" by Notification No. 168, dated 23rd February, 1916, see Gazette of India, 1916, Pt. I, p. 220.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

India in Council] in that behalf and on such requisition being approved by him and communicated to the Council, the Council shall, pending inquiry, suspend any Student, Fellow or Member of the Teaching Staff including the Director and the Professors, and after inquiry has been made in the manner provided in section 34 of these regulations, the <sup>1</sup>[Governor General of India in Council] may order the dismissal of such person.

32. Subject to confirmation by the <sup>1</sup>[Governor General of India in Council], the Council may remove from the Register of the Institute the name of any person entered thereon who shall have been convicted of what in their opinion constitutes a serious offence.

33. Not later than six weeks after the commencement of the first term of each session as prescribed by Bye-laws, the Council shall submit to the Patron, to the Vice-Patrons and to each Member of the Court of Visitors a report which shall include—

- (a) An account of the work of the Institute for the previous session.
- (b) An audited balance-sheet showing the income and expenditure for the previous session.
- (c) A budget estimate for the current session.
- (d) A copy of the report submitted by the Board of Management.

34. Either on his own initiative or on the receipt of a requisition signed by at least five members of the Court of Visitors desiring that any matter relating to the Institute be the subject of inquiry, the <sup>1</sup>[Governor General of India in Council] may order—

- (a) that a Committee appointed by him from among the Members of the Court of Visitors shall meet at such time and place as he shall appoint to consider and to report to him on the matter, or
- (b) that the matter be referred to the Royal Society for their opinion, or
- (c) that the matter be referred to the Council for their opinion.

On the receipt of the report from the Committee of the Court of Visitors, from the Royal Society or from

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<sup>1</sup> See footnote 1 on p. 31.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

the Council as the case may be, the <sup>1</sup>[Governor General of India in Council] shall pass such orders as he may think fit, and that order shall be final.

35. There shall be a Standing Committee of the Court of Visitors to be from time to time nominated from amongst the members of the Court as follows, namely, one who shall be the Chairman, by the <sup>1</sup>[Governor General in India in Council], one by the Government of India, one by the Mysore Government, and one by the said Messrs. Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata or the survivor of them, and after the death of such survivor by any person appointed in that behalf by such survivor in any instrument in writing executed by him during his lifetime or in his last will or any codicil thereto, and in default of such appointment or indication or after the death of such appointee, by the nearest major male descendant for the time being of Nusserwanjee Ruttonjee Tata, the father of the said Jamsetjee Nusserwanjee Tata, or, if there be more than one such major male descendant in equal degree of propinquity to the said Nusserwanjee Ruttonjee Tata, then the eldest of such male descendants in the eldest line from the said Nusserwanjee Ruttonjee Tata. (In the case of dispute as to who shall be called such descendant for the purpose of the nomination as aforesaid, the same shall be referred to the <sup>1</sup>[Governor General of India in Council] whose decision shall be effective and binding): Provided that members of the Court, who are also Members of the Council, shall not be eligible to serve on the Standing Committee. In each Session not later than six weeks after the receipt of the report mentioned in clause 33 of these regulations, the members of the said Committee shall meet at such place as may be fixed by the Chairman to consider the said report and any other matter connected with the Institute. The said Committee shall have power from time to time to require the Council to furnish such information or particulars in connection with the Institute as may be considered necessary. The said Committee may make recommendations to the Council or the <sup>1</sup>[Governor General of India in Council]. Whenever the said Committee are of opinion that any matter in connection with the Institute requires investigation or inquiry (the said Committee shall

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<sup>1</sup> See footnote 1 on p. 31.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.*

report to the <sup>1</sup>[Governor General of India in Council] who may then appoint a Special Committee to make such investigation or inquiry), and on the receipt of the report of such Special Committee, the <sup>1</sup>[Governor General of India in Council] shall pass such orders as may be necessary, and such orders shall be final. No extraordinary expenditure, that is to say, expenditure over and above the usual recurring expenditure that may be budgetted for any Session, shall be made if the Standing Committee communicates to the Council its resolution that such expenditure shall not be incurred until after it has had an opportunity of communicating with the <sup>1</sup>[Governor General of India in Council] thereon and until after such expenditure is eventually sanctioned by the <sup>1</sup>[Governor General of India in Council]. If in any Session the Council has in view any such extraordinary expenditure for the next Session, it shall at once communicate the same to the Standing Committee with such particulars as may be necessary so as to give the Standing Committee sufficient time to consider the same, and if need be to report thereon to the <sup>1</sup>[Governor General of India in Council] before such expenditure shall be made. The provisions of clauses 14, 16, 17 and 18 shall apply to the Standing Committee.

36. All communications between the Council and the Senate or between the Vice-Patrons, the Members of the Court of Visitors and the Council shall be carried on through the Director. All communications from the Court of Visitors or from the Council to the Patron <sup>2</sup>[or the Governor General of India in Council] shall be addressed through the Director. The Standing Committee of the Court of Visitors may communicate directly with the Patron <sup>2</sup>[or the Governor General of India in Council].
37. The Director shall act as recorder to the Institute and shall have charge of all documents relating to the Institute other than those appertaining to the Board of Management.
38. Subject to review by the Council the Senate shall have charge and general regulation of teaching and research within the Institute, and may report to the Council or through the Council to the Patron, Vice-Patrons or Court of Visitors upon any matter connected with teaching or research.

<sup>1</sup> See Part II, Sec. 38.

<sup>2</sup> These words were added by Notification No. 166, dated 23rd February, 1916, as Gazette of India, 1916, Pt. I, p. 226, and Supplement.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*contd.***

39. The Board of Management shall look after and manage all the aforesaid endowment properties, collect the rents and other income thereof, and make thereout all necessary and proper disbursements and also ascertain and set aside the amounts for sinking fund, substantial repair fund, ground rent fund and other necessary funds to make provisions for future contingencies in connection with the endowment properties which the Board shall consider necessary or proper, and shall pay the net rents or other income to the Council, and shall otherwise administer the said properties, and act in the administration of the trust. The Board shall furnish to the said Treasurer such information and abstracts of accounts as may from time to time be required by him. The funds set aside as aforesaid shall, until their utilization, be invested in the purchase of Government of India Promissory Notes or other public securities admissible under the Indian Trusts Act. The Board shall be at liberty from time to time to expend out of all or any of these funds such sum or sums of money as it may consider necessary or proper for improvements in, and alterations and additions to, the endowment properties. With regard to such of the endowment properties as are leaseholds the Board will arrange for payment of rents, for carrying out repairs, for insurance and generally for performance and observance of the covenants on the Lessee's part contained in the Leases under which the properties are held.
40. The Board shall hold at least one meeting every month with a maximum of three meetings per month, and the fee of each member for each meeting attended by him shall be Rs. 30. The Board shall render an account of their management to the Council once every year.
41. The Board shall once every year cause all the endowment properties to be surveyed and certified as to their state and condition by the Presidency Executive Engineer or by some other competent Architect or Engineer not connected with the management of the same.
42. All acts done and engagements entered into hitherto for the purposes of the Institute by Dr. Morris W. Travers, F.R.S., the first Director of the Institute, with the authority and sanction of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata or of the Provisional Committee appointed at the request of the said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata prior to the notification of this

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

**Vesting of property of the Tata Institute of Research of India in the Treasurer of Charitable Endowments, Bombay, and its location near Bangalore—*concl'd.***

Scheme to conduct the affairs of the Institute until such notification shall be binding upon the Institute.

43. The said Dorabjee Jamsetjee Tata and Ruttonjee Jamsetjee Tata have agreed to give a guarantee in the sum of Rs. 8,000 per annum to be secured upon certain immoveable property belonging to them and situated at Khar Road in Bandora, District Thana, in the Bombay Presidency, for the purpose of making up out of the same any deficit that may occur in the net annual income of the said endowment properties described in Schedule A to the said Vesting Order upon the terms and conditions set forth in Schedule B hereto.

44. None of the provisions of this Scheme shall at any time hereafter be added to, altered or varied during the lives of the said Dorabjee Jamsetjee Tata and the said Ruttonjee Jamsetjee Tata without their consent or during the life of the survivor of them without his consent or after the death of such survivor and during the life of the person appointed by such survivor to nominate representatives on the Standing Committee of the Court of Visitors as provided in clause 35 without the consent of such person.

[See Gazette of India, 1909, Pt. I, p. 405.]

**Vesting of property of the Moinia Islamia High School, Ajmer, in the Treasurer of Charitable Endowments for Ajmer-Merwara.**

*No. 1721-I. B., dated the 17th June, 1918.*—Whereas the immoveable properties, particulars whereof are set forth in Schedule A hereunder written, are held in trust as the endowment or for the use and purposes of the Moinia Islamia High School, Ajmer, being a charitable purpose or purposes as defined by Section 2 of the Charitable Endowments Act, 1890 (VI of 1890), and whereas by or under Resolution dated or passed on the 30th December 1914 of the Committee of the Dargah of Khwajah Sahib, Ajmer, a copy of which is set forth in Schedule B hereunder written, a grant or sum of Rs. 460 per month is payable in perpetuity by or from the Jagir of the said Dargah for secular and religious instruction in the said School as in the said resolution is mentioned.

And whereas the Members of the Managing Committee of the said School being the persons acting in the administration of the trust for

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*****THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).****Vesting of property of the Moinia Islamia High School, Ajmer, in the Treasurer of Charitable Endowments for Ajmer-Merwara—*contd.***

the charitable purpose or purposes aforesaid have made application to the Governor General of India in Council in accordance with Sections 4 and 6 of the said Act that the said properties specified in the said Schedule A may in pursuance of the provisions of the said Act be vested in the Treasurer of Charitable Endowments for Ajmer-Merwara and that the said Governor General of India in Council may further be pleased under Section 5 of the said Act to settle a scheme for the administration of the said properties.

And whereas the terms as to the application of the said property described in the said Schedule A which are hereinafter set forth as those upon which such property shall be vested as hereinafter declared have as required by the said Section 2 been agreed on between the said Governor General of India in Council and the said Managing Committee.

Now in pursuance and by virtue of Sections 4 and 7 of the said Charitable Endowments Act, 1890 (VI of 1890), the Governor General of India in Council hereby orders that the properties the particulars whereof are set forth in Schedule A hereunder written be and the same are hereby vested in the Treasurer for Charitable Endowments for Ajmer-Merwara upon the following terms, *viz.*, that the buildings and other immoveable properties the particulars whereof are set forth in the said Schedule A shall be used as heretofore for the carrying on and general purposes of the said School and that the said grant or sum of Rs. 460 per mough shall be received from time to time as it becomes due by the Committee of Management of the said School or other the Managing body thereof for the time being or such members thereof or other persons as may be duly authorised to receive the same by any such Scheme as aforesaid settled by the said Governor General in Council under Sections 5 and 7 of the said Act or in any other manner and shall be applied in accordance with the terms of the said Resolution by which it was granted for the purposes of the said School and in accordance with and subject to the terms of any such Scheme as aforesaid.

**THE SCHEDULE " A " ABOVE REFERRED TO.**

1. Three plots of leasehold land situate near the Municipal Camping ground and the Tomb of Madara Shah, Ajmer, in the Municipality of Ajmer containing by measurement 5,551½ sq. yards or thereabouts delineated on the plan attached to the Indenture of Lease dated the 7th October 1915, and made between the said Dargah Committee of the one part and the President and Secretary, Managing Committee, Moinia Islamia High School, Ajmer, of the other part, under which the same

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

**Vesting of property of the Moinia Islamia High School, Ajmer, in the Treasurer of Charitable Endowments for Ajmer-Merwara—*contd.***

is held and thereon marked A, B, and C, and bounded as stated in the Schedule thereto and as set forth below being held under that Lease for a term of 99 years from the 1st April 1909 at the rent of one Rupee per annum.

#### *Boundaries.*

The three plots of land are bounded as below:—

Plot marked “ A ” on the plan.

North—Municipal road and the compound of King Edward Memorial.

South—Tomb of Madara Shah.

East—Municipal Camping ground.

West—Lal Bazar and Cavendishpura Road.

Plot marked “ B ” on the plan.

North—Municipal Camping ground and tomb of Madara Shah.

South—Nohra of Rai Seth Chand Mall.

East—Plot of Municipal land leased to the Managing Committee of the Moinia Islamia High School by the Ajmer Municipal Committee.

West—Lal Bazar and Cavendishpura Road.

Plot marked “ C ” on the plan.

North—Municipal Camping ground.

South—Serai Abdullapura.

East—House of Rai Bahadur Seth Nemi Chand.

West—Plot of Municipal land leased to the Managing Committee of the Moinia Islamia High School, Ajmer, by the Ajmer Municipal Committee.

2. A plot of leasehold land situate in the encamping ground, Ajmer, in the Municipality of Ajmer containing by admeasurement 444 $\frac{5}{8}$  square yards or thereabouts delineated in the plan attached to the Indenture of Lease dated the 13th March 1912 between the Municipal Committee of Ajmer of the one part, and the President, Managing Committee, Moinia Islamia High School, Ajmer, of the other part, under which the same is held and bounded as stated in the Schedule thereto and as set forth below being held under that Lease for a term of 90 years from the 28th June 1909 at the rent of Rs. 3 per annum.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Vesting of property of the Moinia Islamia High School, Ajmer, in the Treasurer of Charitable Endowments for Ajmer-Merwara—*concl'd.*

### *Boundaries.*

The land is bounded on the—

North and South by encamping ground.

East and West by land belonging to Dargah Shariff and measures 444 $\frac{8}{9}$  square yards and is Nazul property.

3. The Buildings of the Moinia Islamia High School, Ajmer, erected standing and being on the plots of land above described or some of them.

### THE SCHEDULE " B " ABOVE REFERRED TO.

*Transliteration and translation of Resolution No. 2 of the Committee of Dargah Khwajah Sahib, Ajmer, dated the 30th December 1914.*

(2) Nisbat imdad ke jo bilfail dijati hai yane Rs. 460/- mahwar <sup>Transl</sup> deeni aur dunyavi talim ke liye—yani Rs. 150/- mahwar Madarsai Deeni <sup>tion.</sup> aur Rs. 310/- mahwar barai Madarsai Dunyavi—yeh rakumât Jagir Dargah Sharif hamesha deti rahegi.

(2) As regards the aid which is given at present by the Dargah, <sup>Transl</sup> namely, Rs. 460/- per month for secular and religious instruction—i.e., Rs. 150/- per month for the religious school and Rs. 310/- for secular school—the Dargah Jagir will continue it in perpetuity.

WAZIR BAKSH, *President,*

*Dargah Committee, Ajmer.*

(True Copy.)

SECUNDER KHAN, *Secretary,*

*Moinia Islamia High School, Ajmer.*

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

#### Rules for the administration of the Indian People's Famine Trust.

*No. 1616-F., dated the 25th July, 1900.*—Whereas application has been made to the Governor General in Council by His Highness Saramad-i-Rajaha-i-Hindustan Raj Rajindra Sri Maharajadhiraj Sawai Sir Madho Singh Bahadur, G.C.S.I., G.C.I.E., Maharaja of Jaipur, the donor of the proposed Endowment Fund, that promissory notes of the Government of India to the amount of Rs. 15,00,000 be vested in the Treasurer of Charitable Endowments appointed under the Charitable Endowments Act, 1890 (VI of 1890), for the territories subject to the Lieutenant-Governor of Bengal (hereinafter referred to as "the Treasurer"), and that the income arising from the same be applied for the purposes of charitable relief in seasons of general distress;

And whereas the terms of the scheme of administration of the income arising from the said property were published in the *Gazette of India* on the 2nd day of June, 1900, together with notice that an order was proposed to be made by the Governor General in Council vesting the said property in the said Treasurer and settling the scheme for the administration of the same, and further stating that any objection to the proposed order or suggestions thereon should be transmitted in writing to the Secretary to the Government of India in the Foreign Department by the 2nd day of July, 1900, on which date the proposed scheme will be taken into further consideration;

And whereas the said scheme has been taken into further consideration accordingly, together with all the objections and suggestions transmitted and received in the manner aforesaid;

The Governor General in Council hereby orders that the said promissory notes of the Government of India to the amount of Rs. 15,00,000 be and the same are vested in the Treasurer aforesaid, on the terms hereinafter stated as to the application of the income of the said property, such terms having been agreed upon by the Governor General in Council and the said Maharaja of Jaipur.

#### *Rules for the administration of the Trust.*

1. The Trust shall be known as the Indian People's Famine Trust.
2. The purpose of the Trust shall be the alleviation by grants of money or otherwise of general distress caused by failure or destruction of the crops or by any calamity of like nature either in British India or in any Native States.
3. The income of the securities so as aforesaid vested in the Treasurer and of such other securities (if any) as may at any time hereafter be in like manner so vested for the purpose of the Trust shall be adminis-



Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Rules for the administration of the Indian People's Famine Trust—*contd.*

tered by a Board of Management (hereinafter referred to as "the Board") consisting of the following persons:

- (a) Five persons appointed by the Governor General in Council of whom three shall be in the executive service of the Government.
- (b) Five persons appointed respectively by the Local Governments of Madras, Bombay, Bengal, the North-Western Provinces and Oudh and the Punjab.
- (c) Two persons appointed respectively by the Agents to the Governor General in Rajputana and Central India.
- (d) One person appointed by His Highness the Maharaja of Jaipur for the time being.
- (e) Any persons becoming life-members under clause 14.

The Governor General in Council shall also appoint the Chairman of the Board from among the members, <sup>1</sup>[and subject to the provisions hereinafter contained in the first proviso to rule 4 may, during the absence from India of such Chairman in like manner, appoint an acting Chairman to exercise and discharge all or any of the powers and duties conferred or imposed upon a Chairman by these rules or by any bye-law or order framed or issued thereunder.]

4. Each appointed member of the Board shall hold office during the pleasure of the authority by whom he has been appointed:

Provided that a member who is absent from India for a period exceeding eight months shall cease to be a member of the Board, but may, notwithstanding, be re-appointed thereto on a vacancy hereafter occurring. Provided also that any member may resign his place at the Board, by notice in writing, addressed to the Chairman.

5. During any vacancy in the Board the continuing members may act as if no vacancy had occurred.

6. The Chairman may convene meetings of the Board at such times and places as he may consider necessary and convenient for the transaction of business, and at all meetings four members shall form a quorum.

7. The Board shall frame bye-laws for the regulation of its proceedings, the maintenance of accounts, and the like.

8. No grant of the relief of distress shall at any time be made by the Board, unless and until the existence of general and severe privation over a considerable area has been notified to it by the Governor General in Council.

<sup>1</sup> Added by Notification No. 1321—41-10, dated the 5th June, 1902, see Gazette of India, 1902, Pt. I, p. 413.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

#### Rules for the administration of the Indian People's Famine Trust—*contd.*

9. When the existence of distress has been so notified to the Board, the Board, after considering all the information regarding it which may have been transmitted by the Governor General in Council or by the Local Government or Native State in which the distress exists, may, if it think fit, make a grant for relief.

10. Before paying over the amount of any such grant, the Board shall satisfy itself that the money granted will be expended in one or more of the following ways, namely:—

*Firstly.*—In supplementing the subsistence ration of the Famine Codes by the addition of the small comforts whether of food or of clothing for the aged or infirm, for patients in hospitals, for children, and the like.

*Secondly.*—In providing for the maintenance of orphans.

*Thirdly.*—In relieving *pardahnāshin* women and persons in distressed circumstances who by social or caste conditions are debarred from applying for State relief and from submitting to the ordinary tests of distress prescribed in the Famine Codes.

*Fourthly.*—In helping to re-establish impoverished agriculturists and others who have lost substantially the whole of their capital in the period of distress, and thereby giving them a fresh start in life.

*Fifthly.*—In providing for any object specially recommended to the Board by the Governor General in Council.

11. When a grant is made for relief by the Board, the Board shall, unless otherwise authorised by the Governor General in Council, pay over the grant for expenditure as follows:—

(1) To a Central Relief Committee, if a Central Relief Committee shall have been established for the time being to administer Famine Charitable Relief funds in all parts of India.

(2) To a Relief Committee established in the province in which distress prevails should no Central Relief Committee have been established.

(3) If neither a Central Relief Committee nor a Provincial Relief Committee shall have been established, then to such person or persons as the Board may appoint in the locality where the distress prevails, the Board having first satisfied itself that proper arrangements for the distribution of relief through trustworthy agents have been made.

12. (1) Subject to any general or special orders which the Governor General in Council may issue in this behalf, the Board may at its discre-

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

#### Rules for the administration of the Indian People's Famine Trust—*contd.*

tion invest any moneys in its possession and not being immediately required for expenditure on relief, in or upon the securities specified in section 4 (3) of the Charitable Endowments Act, 1890, and may vary and realise such investments.

<sup>1</sup>(2) Any money so invested shall be invested in the joint names of the Comptroller General and of the Accountant-General, Bengal, and shall not be dealt with save under the order in writing of not less than two of the Members of the Board.

(3) Provided that the Board may at any time apply to the Governor General in Council that any securities for money so held may be vested in the Treasurer on the same trusts as the original Endowment Fund and as part of the endowment.

13. The Board may accept for the purpose of addition to the original Endowment Fund any securities for money of the kinds specified in section 4 (3) of the Charitable Endowments Act, 1890, not being of smaller amount in each case than Rs. 10,000 in face value that may be so offered to it for acceptance by any person or persons. The Board shall notify each such donation to the Governor General in Council, and shall jointly with the donor apply that the said securities be vested in the Treasurer on the same trusts as the original Endowment Fund and as part of the endowment.

14. Any person who thus subscribes a sum of not less than Rs. 3,00,000 shall become a life-member of the Board.

15. (1) The Board may accept from a Central or Provincial Charitable Relief Committee the unexpended balances of any moneys at the Committee's disposal which the Committee on terminating its operations may wish to make over to the Board for expenditure hereafter on the relief of distress. Such moneys shall not be added to the original Endowment Fund, but shall be retained by the Board in current account or temporarily invested in the manner specified in sub-clauses (1) and (2) of clause 12.

(2) Subject to any general or special orders which the Governor General in Council may issue in this behalf, the Board may similarly accept and dispose of any sums of money of less amount than Rs. 10,000 that may be presented to it from any other source.

16. The Board shall at all times conform to and abide by any rules relating to the administration of endowments under the Charitable Endowments Act, 1890, which the Governor General in Council, in exercise of the powers conferred by section 13 of that Act, may from time to time see fit to make: and in particular the Board shall submit abstracts

<sup>1</sup> Substituted by Notification No. 695—20-2, dated the 25th April, 1905, see Gazette of India, 1905, Pt. I, p. 281.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Rules for the administration of the Indian People's Famine Trust—*concl'd.***

of its accounts and reports on the administration of the money entrusted to it to such public servant in such form and at such times as the Governor General in Council may by such rules prescribe; and shall when called upon by any public servant appointed by the Governor General in Council to be auditor of its accounts, produce any books, papers, vouchers and documents which may appear to him to be necessary for purposes of audit.

[See Gazette of India, 1900, Pt. I, p. 466.]

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**Further endowment of the Indian People's Famine Trust.**

*No. 1876, dated the 11th September, 1900.*—Whereas by a Notification No. 1616-F., dated the 25th July, 1900, and issued under and by virtue of the powers conferred by sections 4 (1) and 7 (1) of the Charitable Endowments Act of 1890 (VI of 1890), the Governor General in Council was pleased to order that the promissory notes of the Government of India to the amount of Rs. 15,00,000, the gift of His Highness Saramad-i-Rajaha-i-Hindustan Raj Rajindra Sri Maharajadhiraj Sawai Madho Singh Bahadur, G.C.S.I., G.C.I.E., Maharaja of Jaipur, should be vested in the Treasurer of Charitable Endowments appointed under the said Act for the territories subject to the Lieutenant-Governor of Bengal as an Endowment Fund for the purposes of charitable relief in seasons of general distress;

And whereas His Highness the said Maharaja of Jaipur has made application to the Governor General in Council that a further endowment to the amount of Rs. 1,00,000, the gift of His said Highness, may be added to the Endowment Fund constituted by the said Notification of the 25th July, 1900, and has paid to the Comptroller-General a sum of money sufficient to purchase promissory notes of the Government of India to the total amount of Rs. 16,00,000;

Now under and by virtue of the powers conferred by sections 4 (1) and 7 (1) of the said Act, the Governor General in Council is hereby pleased to order that the promissory notes representing the said further endowment of Rs. 1,00,000 be, and they hereby are, vested in the Treasurer aforesaid as part of the said Endowment Fund and upon the terms set forth in the said Notification.

[See Gazette of India, 1900, Pt. I, p. 576.]

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## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890)

#### Rules as to the keeping of accounts, etc., of Public Trusts under Act.

*No. 1569, dated the 24th October, 1890.*—In exercise of the powers conferred by section 13 of the Charitable Endowments Act, VI of 1890, the Governor General in Council has been pleased to frame the following forms and make the following rules.

NOTE.—In these rules “the Government” means the Local Government or when the Governor General in Council exercises, under section 7 of the Act, the powers conferred by sections 4 and 5 of the Local Government, the Government of India.

1. It being the wish of the Governor General in Council that the Government should not interfere under the Charitable Endowments Act, 1890 (hereinafter referred to as the Act), in cases of doubt or dispute and that the jurisdiction of the Courts in such cases should in practice be left unaffected by the Act the cases with which the Government will have to deal may be divided into two classes, namely, (1) cases of trusts whether already established or proposed to be established out of which it may be confidently predicted that contention cannot arise, and (2) cases out of which contention may possibly arise, however, remote or unlikely the contingency. To the first class will belong such cases as those of Lawrence Asylums, Railway Schools and endowments in Government securities in general aid of the funds of specified dispensaries or schools. To the second class will belong most cases in which private persons applying for a vesting order or a scheme or modification of a scheme and all cases in which it is proposed to depart in any respect from the ascertained wishes or presumable intentions of the founder of an endowment. In cases belonging to the first class previous publication of proposed vesting orders and of proposed schemes and modifications of schemes will ordinarily be unnecessary: in cases belonging to the second class, there should ordinarily be previous publication of such documents.

2. (1) When the Government having regard to the last foregoing rule is of opinion that a proposed vesting order or a proposed scheme or modification of a scheme should not be made or settled without previous publication, it shall publish a draft of the proposed order, scheme or modification or a proper abstract thereof, signed by one of its Secretaries for the information of persons likely to be affected thereby.

(2) The publication should be made in the official Gazette and in such other manner as the Government may prescribe.

(3) There shall be published with the draft or abstract a notice specifying a date at or after which the proposed order, scheme or modification will be taken into further consideration.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Rules as to the keeping of accounts, etc., of Public Trusts under Act—*contd.*

(4) The Government shall consider any objection or suggestion which it may receive from any person before such date with respect to the proposed order, scheme or modification.

3. The cost of the previous publication under the last foregoing rule of any proposed order, scheme or modification of vesting orders and of a scheme, and any other costs incurred or to be incurred in the making or settlement of the order or of the scheme or modification, shall be paid by the applicants for the order, scheme or modification, and if the Government so direct, may be paid by them out of any money in their possession pertaining to the trust to which their application relates.

4. In the case of property vested in a Treasurer of Charitable Endowments other than securities for money, the persons acting in the administration of the trust and having under section 8, sub-section (3), of the Act the possession, management, and control of the property and the application of the income thereof shall in books to be kept by them regularly enter or cause to be entered full and true accounts of all moneys received and paid respectively on account of the trust, and shall on the demand of the Government submit annually to such public servant as the Government may from time to time appoint in this behalf, in such form and at such time as the Government may from time to time prescribe an abstract of those accounts and such returns as to other matters relating to the administration of the trust as the Government may from time to time see fit to require.

5. The following are prescribed as the fees to be paid to the Government in respect of any property vested under the Act in a Treasurer of Charitable Endowments:—

(1) In the case of securities for money—

(a) For the purchase and sale of securities a commission of  $\frac{1}{8}$  per cent in addition to any actual outlay on brokerage.

(b) For drawing interest, a commission of  $\frac{1}{4}$  per cent.

(c) For remitting interest, the actual charges incurred.

(2) In the case of property other than securities for money, the actual charges incurred by the Treasurer in the discharge of his functions in respect of the property.

The Treasurer may deduct any fees payable to the Government on account of any endowment from any money in his hands on account of such endowment. If he holds no such moneys the amount should be claimed from the administrators.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

#### Rules as to the keeping of accounts, etc., of Public Trusts under Act—*contd.*

6. All copies of vesting orders received by the Treasurer will be filed together and will be numbered in consecutive order of their receipt; when a sufficient number have been received they will be bound in volumes. A note will be made on each vesting order of any entries in the registers prescribed below relating to the property vesting in the Treasurer under the order.

#### *Accounts of securities for money.*

7. On the receipt of any securities for money, or on their purchase by himself, the Treasurer will record their receipt in a register in form No. 1. He will also keep a separate account for each endowment in Form No. 2 in which he will record all receipts including any amounts sent for investment, and all disbursements. In the cash account the Treasurer will record only his own transactions (such as the payment of the money to the administrators) not the transactions of the administrators of the Endowment Fund.

8. The Treasurer will keep a record in the appropriate columns of Form No. 1 of all securities returned by him. The return will also be entered in Form No. 2, where the amount returned will be deducted from the capital of the endowment concerned.

9. If the securities elsewhere than in Madras and Bombay consist of Government promissory notes, they will be forwarded to the <sup>1</sup>[Controller of Currency] for custody under the general rules laid down in the Civil Account Code; but the securities held under the Act must be forwarded separately, and the Treasurer will keep a separate register under those rules for these securities, and will also keep a separate file of the acknowledgments.

The Treasurer will retain in his own custody all securities for money other than Government promissory notes.

10. The Treasurer, on receipt of any interest on securities, will pass it through his General Trust Interest Account under a special sub-head, "Interest on Charitable Endowments under Act VI of 1890." The interest will then be distributed to the various ledger accounts (Form 2) in which the gross amounts must be shown, any deductions for fees, etc., being shown as a charge and the payment of the balance to the administrators being also shown as a disbursement. The entries in the ledger of interest received must be taken out and agreed annually with the total amount of interest drawn.

11. The register in Form No. 1 will show all securities vested in the Treasurer as such, whether actually held by him or by the <sup>1</sup>[Controller

<sup>1</sup> These words were substituted for the word "Comptroller-General" by Notification No. 434-C., dated 20th January, 1914. *see* Gazette of India, 1914, Pt. I, p. 86.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**RULES as to the keeping of accounts, etc., of Public Trusts under Act—*contd.***

of Currency] as his agent. In order to prove the balance actually held by the Treasurer in his own hands, a balance sheet in Form No. 3 will be made out annually and agreed with the actual securities in the Treasurer's possession; such agreement will be certified on the balance sheet.

12. The accounts of the interest and the annual agreement of balance will be made at the time which the Local Government may direct under section 9 of the Act for the publication of the list of properties held, and of the abstract of accounts.

*Property other than securities.*

13. The Treasurer will enter in a register in Form No. 4 any property other than securities which becomes vested in him, and will record in the same register against the original entry a note of any property of which he is divested.

*Publication of lists and abstract of accounts.*

14. The list of properties vested in the Treasurer to be published annually shall be in Form No. 5. Part I will relate to properties other than securities; Part II will relate to securities, and will also contain the abstract of accounts required by the Act to be published. <sup>1</sup>[The Treasurer will demand and receive acknowledgments of the correctness of the balances, when published, from the Administrators or from any one or more of their body who may have been authorised by the Administrators to give such acknowledgments.]

*Audit of Accounts.*

15. <sup>2</sup>[The Treasurer's accounts will be audited annually by the Local Audit Department or the Outside Audit Section of the Accountant General's Office.]

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<sup>1</sup> Substituted by Notification No. 92, dated the 28th January, 1910, see Gazette of India, 1910, Pt. I, p. 129.

<sup>2</sup> Substituted by Notification No. 1491-C., dated 15th March, 1918, see Gazette of India, 1918, Pt. I, p. 330.



THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

**Rules as to the keeping of accounts, etc., of Public Trusts under Act—*contd.***

FORM No. I.

*Register of Securities held under Act VI of 1890.*

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Serial number.	Date of receipt.	Name and brief description of Charitable Endowments.	From whom received.	No. and date of forwarding letter.	Nature of securities, e.g., Government securities 4 per cent. loan of 1865, Guaranteed Railway Debentures, etc., etc.	Distinguishing number of each security.	Nominal value of each security.	Total nominal value of each separate endowment.	Ledger folio.	Date.	To whom sent.	Authority for return.	No. and date of acknowledgment.	Nominal value of each security.	Quarter in which deducted from ex aeco.	Initials of the Treasurer or Assistant in charge.	

*NOTE.—*The amount in column 9 will be itemized each quarter; the total of the amounts returned during the quarter, with a note of the serial numbers to which they appertain, will be deducted, and the balance worked out and carried forward to the next quarter. Amounts sent to the [Controller of Currency] should not be entered in columns 11—19, or deducted from the balance, [Controller of Currency] holds these amounts as agent for the Treasurer. See footnote on p. 19.

THE CHARITABLE ENDOWMENTS ACT, 1890 (VI of 1890).

**Rules as to the keeping of accounts, etc., of Public Trusts under Act—contd.**

FORM No. II.

*Ledger account of securities held under Act VI of 1890.*

1. Name of Endowment,
2. Particulars of vesting order.
3. When vested in Treasurer.
4. Names of administrators.
- 5 To whom interest is to be sent.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Rules as to the keeping of accounts, etc., of Public Trusts under Act—*contd.*PART I.—*Account of Capital.*

Serial Number in Form I.	
Particulars ( <i>e.g.</i> , received or returned).	
Detail of securities (distinguishing number, etc).	
Government 4 per cent. loan of,	VALUE OF EACH SECURITY (SEPARATE COLUMN FOR EACH KIND).
Guaranteed Railway.	
Amount of half-yearly interest.	
Date to which interest has been paid on receipt.	
Initials of Treasurer Assistant in charge.	

N.B.—The balance of the value columns must be worked out on every day to which there is a new entry.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).**

**Rules as to the keeping of accounts, etc., of Public Trusts under Act—*contd.***

**FORM No. II.**

*Ledger account of securities held under Act VI of 1890.*

1. Name of Endowment.
2. Particulars of vesting order.
3. When vested in Treasurer.
4. Names of administrators.
- 5 To whom interest is to be sent.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Rules as to the keeping of accounts, etc., of Public Trusts under Act—*contd.*

FORM NO. 3.—Balance Sheets.

NUMBER AND VALUE OF SECURITIES.

Particulars.	Government Securities 4 per cent. of 1865.		(A pair of columns for each different kind of security held.)	TOTAL.	
	Number.	Value.		Number.	Value.
Opening balance (from last year).					
Received during year (total must agree with Form I).					
Grand total (a) . . . . .					
Returned during year . . . . .					
Sent to [Controller of Currency] <sup>1</sup> during year.					
Total transferred or returned (b) . . . . .					
Closing balance [difference between (a) and (b)].					

Certificate that the above closing balance has been compared with the securities in Treasurer's possession, and has been found to agree both as to number and value.  
<sup>1</sup> See footnote on page 40.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

**Rules as to the keeping of accounts, etc., of Public Trusts under Act—contd.**

PART II.—*Cash Account.*[illegible]

N. B.—To be closed annually to balance. The transactions will not be numerous. A few pages of the ledger (ruled only for the Cash Account) may be left for each account, so that the account may be carried on for several years without opening a fresh ledger account.

Part II.—General Rules and Orders made under Gen Acts of the Governor General in Council—*contd.*

THE CHARITABLE ENDOWMENTS ACT, 1890.  
Rules as to the keeping of accounts, etc., of Public Trusts under Act—*contd.*

PART I.  
FORM NO. 5.—*List of Properties other than Securities held under Act VI of 1890.*

PARTICULARS OF TESTING ORDER.				PROPERTY HIND.				REMARKS.
Serial No.	No.	Date.	Name of Endowment.	Administrators of property.	Description.	Value.	Annual Income if known.	
1	2	3	4	5	6	7	8	9





# Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE CHARITABLE ENDOWMENTS ACT, 1890 (VI OF 1890).

Rules for the submission of reports by the Board of Management of the Indian People's Famine Trust.

No. 944—47-2, dated the 1st June, 1905.—Under the powers conferred by section 13 (d) of the Charitable Endowments Act, 1890 (VI of 1890), the Governor General in Council is pleased to make the following rules for the submission of reports on the administration of the money entrusted to it by the Board of Management of the Indian People's Famine Trust constituted by Notification No. 1616-F,<sup>1</sup> dated 25th July, 1900, which was applied to a further endowment by the like Notification No. 1876-F,<sup>2</sup> dated 11th September, 1900, and modified by the like Notifications No. 1321,<sup>3</sup> dated 5th June, 1902 and No. 695, dated the 25th April, 1905.

- (1) The public servant to whom the Board shall, as required by rule 16 of the rules published in Notification No. 1616-F,<sup>1</sup> dated 25th July, 1900, submit a report on the administration of the moneys entrusted to it shall be the Secretary to the Government of India in the Department of Revenue and Agriculture (Revenue).
- (2) The report shall be submitted annually as soon as possible after the 1st January to the public servant aforesaid.
- (3) The report shall be accompanied by a statement of the assets of the Trust and an abstract of the accounts of the Board in the forms shown in the accompanying Schedules I and II respectively.
- (4) The Military Accountant-General is hereby appointed by the Governor General in Council to be Auditor of the accounts of the Board.

<sup>1</sup> Page 42, *supra*.

<sup>2</sup> Page 46, *supra*.

<sup>3</sup> See Gazette of India, 1902, Pt. I, p. 413.

<sup>4</sup> For substitution, see Notification No. 63—70-3, dated 27th January, 1911, see Gazette of India, 1911, Pt. I, p. 61.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Extent to which procedure prescribed by sections 17 to 20 of the Indian Railways Act, 1890 (IX of 1890), may be dispensed with—*contd.*

(ii) New bridges or extensions of existing bridges on a line already opened.

(iii) Any interlocking apparatus to be used for working points over which passenger trains may run or signals for the protection of passenger trains.

(iv) Any extensive alteration in the arrangements for signalling.

(v) Any station or junction of a line used for passengers with another or any crossing on the level by means of a diamond crossing, of a line used for passengers by another.

Works so opened should be subsequently inspected at the earliest possible date.

(b) In all cases coming under the above rule, the Inspector will, on authorising the open work, report the matter for the information of the Government of India. As a rule a very brief report by telegram or otherwise will suffice for this purpose; and any further details which the Senior Government Inspector may consider necessary should be given in the next Inspection Report.

(c) In the case of minor works other than those named in paragraph 2 (a), the Inspector will exercise his discretion as to carrying out a subsequent inspection.

(d) The authority for opening any works, such as those referred to in rules (a), (b) and (c), shall be communicated *in writing* by the Inspector to the Railway Administration, and a list of the works so authorised during each half-year shall be appended to the usual Inspection Report of the Railway for that half-year, *vide* Appendix H, with reference to the authorisation and with such further remarks as may be thought fit.

[See Gazette of India, Pt. I, p. 972.]

Delegation to the Senior Government Inspectors of Railways of certain circles the power under sections 18 and 19 of the Act.

No. 152-P, dated the 21st January, 1916.—In exercise of the powers conferred by the Notification of the Government of India in the Department of Commerce and Industry No. 801 of 24th March 1905, in respect of Section 25 (1) of the Indian Railways Act, 1890 (IX of 1890), the Railway Board hereby delegate to the Senior Government Inspectors of Railways, Circles I, II, II-A and III to VII, the power under sections 18 and 19 of the said Act to sanction the opening for the public carriage of passengers of new lines within their respective Circles, subject to the

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Notifications sanctioning the use of motive power and rolling stock on railway.

[For these see the Lists of Local Rules and Orders published by the several Local Governments in India.]

Extent to which procedure prescribed by sections 17 to 20 of the Indian Railways Act, 1890 (IX of 1890), may be dispensed with.

*No. 408, dated the 10th November, 1903.*—In supersession of Public Works Department Notification No. 111, dated the 20th March, 1891, the Governor General in Council is pleased to publish the following rules under section 22 of the Indian Railways Act, 1890, defining the cases in which, and in those cases the extent to which, the procedure prescribed in sections 17 to 20 (both inclusive) of the Act may be dispensed with:

VI.—OPENING OF DEVIATION LINES, TEMPORARY DIVERSIONS, MINOR WORKS, ETC., ON EXISTING RAILWAYS.

1. Notice required.

For the following works, namely, deviation lines, stations, junctions and crossings on the level, and any alteration or reconstruction materially affecting the structural character of any work when the works named form part of, or are directly connected with, a railway used for the public carriage of passengers, and have been constructed after the inspection which preceded the first opening of the section of railway in which they are situated, only such notice will be required from the Railway Administration in lieu of the notice prescribed in Chapter I, paragraph 1, as may be required by the Inspector concerned.

2. Powers of Inspectors.

(a) Power is conferred on the Inspector to dispense with the notice required under section 17 (1) of the Indian Railways Act, 1890, and without previous report under section 19 to sanction the opening for passenger traffic of the following works when forming part of, or directly connected with, a railway used for the public carriage of passengers, if he is satisfied, either with or without inspection, that provisions (b), (c) and (f) of sub-section (1) of section 19 of the Act have been duly fulfilled:

- (i) Temporary diversions\*, including temporary bridges and their approaches when the waterway is considerable or the approaches steep and tortuous.

\* Temporary diversions may, in cases of accident, be opened under section 21 on the responsibility of the Railway Administration; but the Inspector should, if the use of the temporary diversions are likely to be extended for more than three days, and if he considers it necessary, take the earliest possible opportunity of inspecting it.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Extent to which procedure prescribed by sections 17 to 20 of the Indian Railways Act, 1890 (IX of 1890), may be dispensed with—*contd.*

(ii) New bridges or extensions of existing bridges on a line already opened.

(iii) Any interlocking apparatus to be used for working points over which passenger trains may run or signals for the protection of passenger trains.

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#### 2. Powers of Inspectors.

(a) Power is conferred on the Inspector to dispense with the notice required under section 17 (I) of the Indian Railways Act, 1890, and without previous report under section 19 to sanction the opening for passenger traffic of the following works when forming part of, or directly connected with, a railway used for the public carriage of passengers, if he is satisfied, either with or without inspection, that provisions (b), (c) and (f) of sub-section (I) of section 19 of the Act have been duly fulfilled:

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## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

#### *Computation of Time.*

5. Computation of time.

PROCEEDINGS BEFORE REFERENCE TO RAILWAY COMMISSION.

*Applications under Chapter VI of the Act to the Governor General in Council.*

6. Contents and submission of applications to the Governor General in Council.  
7. Communication of application to railway administration complained of.

8. Consideration of application by Governor General in Council.  
9. Rejection of application by Governor General in Council.

10. Reference of application to Railway Commission.

11. Appointment of Railway Commission.

PROCEEDINGS AFTER REFERENCE TO RAILWAY COMMISSION.

*Proceedings before the Commissioners as arbitrators.*

12. Written statements.

13. Documents to be left along with statement.

14. Hearing of reference.

*Proceedings before the Commissioners, otherwise than as arbitrators.*

15. Suit how instituted.

16. How to be conducted.

17. Non-application to suits of Chapters II, IV, IX, XIX, and XX of Code.

18. Non-application to suits of proviso to section 36 of Code.

#### *Plaint.*

19. Non-application to plaints of sections 48, 54 to 57, 61 and 62 of Code. Substitution of new sections for sections 49, 50, 58, 59 and 63 of Code.

20. Service of summons. Copy of statement to be annexed thereto.

#### *Answer.*

21. Form of answer and time for filing and delivery thereof.



## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Delegation to the Senior Government Inspectors of Railways of certain circles the power under sections 18 and 19 of the Act—*contd.*

conditions and restrictions recommended by them being observed until such time as they after further inspection, shall order that they may be relaxed or removed in the interest of the public, any such relaxation or alteration being reported to the Railway Board for information. The Railway Board reserve to themselves the power to confirm or cancel any sanction or order given under the authority hereby delegated, on receipt of the results of inspection.

[See Gazette of India, 1916, Pt. I, p. 115.]

### Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act.

No. 373, dated the 25th October, 1892.—In exercise of the powers given him by section 34 of the Indian Railways Act, 1890, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to make the following rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of that Act, and for regulating proceedings before such Commissioners and for prescribing the fees to be taken in relation to such proceedings:

RULES FOR ENABLING RAILWAY COMMISSIONERS TO CARRY INTO EFFECT THE PROVISIONS OF CHAPTER V OF THE INDIAN RAILWAYS ACT, 1890, AND FOR REGULATING PROCEEDINGS BEFORE SUCH COMMISSIONERS, AND FOR PRESCRIBING THE FEES TO BE TAKEN IN RELATION TO SUCH PROCEEDINGS.

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#### PRELIMINARY.

#### *Interpretation.*

#### RULES.

1. Interpretation of terms.
2. Meanings assigned to certain expressions in the application of Code to proceedings.

#### *Registrar and Deputy Registrar.*

3. Registrar and time for transaction of business in his office.
4. Temporary appointment of Deputy Registrar.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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**Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—contd.**

*Computation of Time.*

5. Computation of time.

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*Applications under Chapter VI of the Act to the Governor General in Council.*

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*Proceedings before the Commissioners as arbitrators.*

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14. Hearing of reference.

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16. How to be conducted.
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*Plaint.*

19. Non-application to plaints of sections 48, 54 to 57, 61 and 62 of Code. Substitution of new sections for sections 49, 50, 58, 59 and 63 of Code.
20. Service of summons. Copy of statement to be annexed thereto.

*Answer.*

21. Form of answer and time for filing and delivery thereof.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.***

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27. Substitution of new section for section 146, non-application to suits of section 155, and amendment of section 157 of the Code.

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33. Depositing maps, plans and other documents.

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34. Notice of withdrawal or settlement of application.

*Enlargement of time.*

35. Enlargement of time.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX of 1890).**

**Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.***

*Transmission of documents by post.*

36. Sending of documents by post to Registrar.

*Formal objections.*

37. Orders of Commissioners not to be reversed.

*Appeals.*

38. Appeals from orders of Commissioners.

*Incidental proceedings.*

39. Application of Part II, except Chapter XXIII, and section 396 of Code to suits and references.

Practice in cases not expressly provided for.

*Table of fees.*

40. Table of fees.

THE FIRST SCHEDULE.—Forms.

THE SECOND SCHEDULE.—Table of Fees.

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**PRELIMINARY.**

**INTERPRETATION.**

1. In the construction of these rules and of the forms in the first schedule thereto, words importing the singular number shall include the plural, and words importing the plural number shall include the singular; and, unless a different intention appears from the context, the following terms shall have the respective meanings hereinafter assigned to them; that is to say,—

“person” shall include any company or association or body of individuals whether incorporated or not:

“the Code,” shall mean the Code of Civil Procedure, 1882, as XIV of 1882, amended by subsequent enactments:

“the Act” shall mean the Indian Railways Act, 1890.

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<sup>1</sup> See now the Code of Civil Procedure, 1908 (V of 1908).

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

“plaintiff” and “defendant” shall respectively mean the persons named as such respectively in the applications hereinafter referred to, and terms defined by the General Clauses Acts, 1868 and 1887<sup>1</sup>, or either of them, the Code or the Act shall have the same meanings as are assigned to them by those Acts respectively.

I of 1868.

I of 1887.

2. In the application of the Code to proceedings under these rules the following expressions shall, unless a different interpretation be required by these rules or the context, have the meanings hereinafter assigned to them; that is to say,—

Meanings assigned to certain expressions in the application of Code to proceedings.

“the Court” and “the Court in which the suit is instituted” shall respectively mean the Commissioners:

“the Judge” shall mean the Law Commissioner:  
 “such officer as it appoints in this behalf” shall mean the Registrar.

### *Registrar and Deputy Registrar.*

3. (1) A “Registrar of the Railway Commissioners” (in these rules referred to as the Registrar) shall be appointed by the Governor General in Council, and his office shall be open daily during office hours and shall be located,—

Register and time for transaction of business in his office.

(a) when the Commissioners are not sitting, in the building occupied by the establishment of the Secretary to the Government of India in the Legislative Department, and

(b) when the Commissioners are sitting, in such place as the Commissioners may appoint.

(2) When the Commissioners are not sitting, and with their permission when they are sitting, the Registrar's office may be closed on days on which the office of the Secretary to the Government of India in the Legislative Department is authorised by him to be closed.

(3) The Commissioners shall have a common seal (to be used by every Railway Commission appointed under the Act) which shall be kept in the custody of the Registrar at his office.

<sup>1</sup> See now Act X of 1897.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

4. The Governor General in Council may from time to time, as occasion may require, appoint a Deputy Registrar to discharge temporarily all or any of the functions of the Registrar.
- Temporary appointment of Deputy Registrar.

#### *Computation of time.*

5. The provisions of section 7 of the General Clauses Act, 1887<sup>1</sup>, shall, so far as they can be made applicable, be applied in the computation of time for the purposes of these rules.
- Computation of time.

### PROCEEDINGS BEFORE REFERENCE TO RAILWAY COMMISSION.

#### *Applications under Chapter V of the Act to the Governor General in Council.*

6. (1) Every application to the Governor General in Council under Chapter V of the Act for the reference of a case to a Railway Commission must be addressed by the applicant to the Secretary to the Government of India in the Legislative Department. It must be in writing, or printed, and signed by the applicant or his recognised agent, and shall be according to one of the Forms A in the first Schedule hereto or to the like effect, and it must be indorsed with the name and address of the applicant and, if there is a legal adviser acting for him in the matter, with the name and address of such legal adviser.
- Contents and submission of applications to the Governor General in Council.

(2) If the application be for a reference to the Commissioners as arbitrators under section 28, clause (b) or clause (c), of the Act, it must be signed by all the parties to such reference or their respective recognised agents, and it shall be according to Form A, No. 1, in the said Schedule or to the like effect.

(3) In every other case the application shall be according to Form A, No. 2, in the said Schedule, and shall be accompanied by a copy of the plaint therein referred to, which plaint must be signed and verified in accordance with the provisions of sections 51 and 52 of the Code.

7. (1) The Governor General in Council before answering the application may, if he shall think fit, refer the same to the railway administration against which it is made, so as to afford the administration an opportunity of making observations thereon: and he will in such case, give the applicant notice that the
- Communication of application to railway administration complained of.

<sup>1</sup> See now Act X of 1897.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

application has been so referred, and upon his request and at his expense will furnish him with a copy of the observations (if any) made thereon by the railway administration.

(2) The applicant shall be at liberty, within seven days after he shall have received such copy, to reply thereto as he may be advised.

8. After consideration of the application and the observations (if any) which may have been made by the railway administration thereon and by the applicant in reply, the Governor General in Council will determine whether or not the application should be referred to a Railway Commission for decision.

Consideration of application by Governor General in Council.

9. Should the Governor General in Council be of opinion that the application ought not to be referred to a Railway Commission, the applicant will be informed accordingly.

Rejection of application by Governor General in Council.

10. (1) Should the Governor General in Council be of opinion that the application ought to be referred to a Railway Commission, the respective parties thereto will be so informed, and the application will be made over to the Registrar and be filed by him.

Reference of application to Railway Commission.

(2) The Governor General in Council may make such reference subject to any conditions which he may think fit to impose on the applicant as to security for costs or otherwise.

11. (1) Whenever, in the opinion of the Governor General in Council, a Railway Commission ought to be appointed, he will by notification appoint such a Commission and specify the case or cases thereby referred to the Commissioners.

Appointment of Railway Commission.

(2) The time and place of the sitting for the first hearing of each such application shall be notified by the Registrar in the *Gazette of India* and to the respective parties to the application.

#### PROCEEDINGS AFTER REFERENCE TO RAILWAY COMMISSION.

##### *Proceedings before the Commissioners as arbitrators.*

12. (1) Each of the parties to any application under section 28, clause (b) or clause (c), of the Act may at any time within thirty days after the issue of the notification referring the application to a commission, file with the

Written statements.



## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

Registrar a written statement of his case, and the Registrar shall receive all such statements and place them on record.

(2) Any two or more of the parties to the reference may concur in filing the same written statement.

(3) If all the parties concur in the same written statement, no evidence shall be required or received in support thereof, and the Commissioners shall proceed to hear and determine the questions in difference on the assumption that all the statements contained in such written statements are true, and that all the facts necessary for such determination sufficiently appear in such written statement and the application or one of them, and they shall thereupon proceed to make and sign their award.

(4) Should none of the parties to the reference file any such written statement as aforesaid, the application shall for the purposes of the hearing and determination of the case, be deemed to be a written statement concurred in by all the parties.

(5) If the parties do not all concur in the same written statement, the Commissioners shall as soon as conveniently may be after the expiration of the said period of thirty days or such further time as may have been granted by any enlargement thereof, hereinafter called the prescribed period, fix the time and place for the first hearing of the reference.

(6) Should any of the parties omit or neglect to file or concur in a written statement, he shall not be permitted to adduce any evidence at the hearing of the reference, but he shall nevertheless be permitted to cross-examine any witnesses produced by any other party in an adverse interest, and shall be entitled to argue any question at issue as he may be advised.

(7) The provisions of sections 114, 115, and 116 of the Code shall apply to all such written statements as aforesaid.

(8) Every such written statement shall be according to one of the Forms B in the first Schedule hereto or to the like effect.

13. (1) The party filing any such written statement as aforesaid shall along therewith leave with the Registrar a memorandum of the documents (if any) which he proposes to adduce in evidence at the hearing of the reference, and as many copies on plain paper of such written statement and memorandum as there are other parties to the reference and four others for the use of the Court.

Documents to be left along with statement.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

(2) The Registrar shall sign such memorandum and copies if on examination he shall find them correct.

(3) The Registrar shall at any time after the expiration of the prescribed period and before the first hearing of the reference, deliver to each of the parties who shall apply therefor a signed copy of all memoranda and written statements filed by and of the other parties to the reference.

(4) The Registrar shall cause the title of the case and a list of the written statements filed therein with the names of the parties filing them respectively to be entered in a book to be kept for the purpose and called "The Register of References to Arbitration," and such entries shall be numbered in every instance according to the order of the notifications referring the cases respectively.

14. On and after the day appointed for the first hearing of the reference the proceedings shall be conducted in all respects as if the case were being heard under an order of reference made under section 508 of the Code, and the Commissioners were an arbitrator appointed under section 507 of the Code: and all the provisions of the Code in respect of references to arbitration shall apply to such proceedings subject nevertheless to the provisions of these rules and to the following additional modifications, that is to say.

- (a) no time shall be fixed or be deemed to have been fixed for the delivery of the award which may be delivered at any time after the first hearing which the Commissioners may think proper;
- (b) none of the provisions of sections 509, 510, 511 and 512 of the Code shall apply to any such reference;
- (c) for the purposes of sections 520, 521, and 522 of the Code "the Court" shall mean the High Court to which in the case in question an appeal lies under section 31 of the Act;
- (d) for all other purposes of such reference "the Court" shall mean the Commissioners.

#### *Proceedings before the Commissioners otherwise than as arbitrators.*

15. Every application referred to a Railway Commission [other than an application under section 28, clause (b) or clause (c) of the Act] shall be called a suit, and shall be deemed to have been instituted by the filing by the

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX of 1890).

#### Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

Registrar of the application when made over to him by the Governor General in Council under rule 10.

16. Subject to the provisions of these rules every such suit shall be conducted in all respects as if the same were a civil suit instituted in a Court of competent jurisdiction in accordance with the provisions of the Code, and save as hereinafter mentioned all the provisions of Part I of the Code shall apply to all such suits.

Non-application to suits of Chapters II, IV, IX, XIX and XX of Code.

17. None of the provisions of Chapters II, IV, IX, XIX, and XX of the Code shall apply to any such suit.

Non-application to suits of proviso to section 36 of Code.

18. The proviso at the end of section 36 of the Code shall not apply to any such suit.

#### *Plaint.*

Non-application to complaints of sections 48, 54 to 57, 61 and 62 of Code. Substitution of new sections for sections 49, 50, 58, 59 and 63 of Code.

19. (1) Sections 48, 54 to 57 (both inclusive), 61 and 62 of the Code shall not apply to any such suit.

(2) For section 49 of the Code the following shall be substituted, namely:

“49. The complaint must be distinctly written or printed in English, and shall be according to one of the Forms C in the first Schedule to these rules or to the like effect.”

Language of complaint.

(3) For section 50 of the Code the following shall be substituted, namely:

Particulars to be contained in complaint.

“50. The complaint must contain the following particulars:—

- (a) the name of the Court;
- (b) the name, description and place of residence of the plaintiff;
- (c) the name, description and place of residence of the defendant;
- (d) a plain and concise statement of the circumstances constituting the cause of action, and where and when it arose;
- (e) a demand of the relief which the plaintiff claims; and
- (f) a statement of the manner in which the defendant is or claims to be interested in the question, showing that he is liable to be called upon to answer the plaintiff's demand:

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

“Provided that where a railway administration is plaintiff or defendant in any such suit, it shall be sufficient to name such administration in the plaint without any further description or place of residence:

“Provided also that for all purposes of the suit the principal office in India of such administration shall be deemed to be its place of residence.”

(4) For section 58 of the Code the following shall be substituted, namely:

58. (1) Within thirty days after the issue of the notification referring the application to a Commission, the Plaintiff shall file with the Registrar a memorandum of the documents (if any) which he proposes to adduce in evidence at the hearing, and he shall at the same time present as many copies on plain paper of the plaint and memorandum of documents as there are defendants, and four others for the use of the Court.

“ (2) The Registrar shall sign such memorandum and copies if on examination he shall find them correct.

“ (3) The Registrar shall thereupon file the plaint and place it upon the record.

“ (4) The Registrar shall also cause the particulars mentioned in section 50 to be entered in a book to be kept for the purpose and called ‘the Register of Suits;’ and such entries shall be numbered in every year according to the order in which the plaint is admitted.”

“ (5) For section 59 of the Code the following shall be substituted, namely:

“ 59. If the plaintiff sues upon a document in his possession or power he shall at the time of filing the said memorandum deliver the document or a copy thereof to be filed with the plaint.”

Production of document on which plaintiff sues.  
Delivery of document or copy. List of other documents.

(6) For section 63 of the Code the following shall be substituted, namely:

“ 63. A document which ought to be entered in the said memorandum, and which is not entered accordingly, shall not, without the leave of the Court, be received in evidence on the plaintiff's behalf at the hearing of the suit.

Inadmissibility of document not produced when plaint filed.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

“Nothing in this section shall apply to any document produced for cross-examination of the defendant’s witnesses, or in answer to any case set up by the defendant or handed to a witness merely to refresh his memory.”

20. (1) As soon as conveniently may be after the plaintiff has presented such memorandum and copies of the  
Service of summons. Copy of statement to be annexed thereto. plaintiff as aforesaid, the Registrar shall cause each defendant to be served with a summons requiring him, within thirty days from the service thereof, to put in his answer (if any) to the said plaint.

(2) Every such summons shall be according to the Form D in the first Schedule hereto, and shall be signed by the Registrar and sealed with the seal of the Court, and shall be accompanied by one of the copies of the plaint and memorandum of documents mentioned in rule 19, clause (4).

(3) Every such summons may be served by forwarding the same by post in a registered cover addressed to the defendant, or where the defendant is a railway administration or a company, to the manager or agent of the administration or the chairman or Secretary of the Company at its principal office in India.

#### *Answer.*

21. (1) Within thirty days from the service of the said summons the defendant shall file with the Registrar  
Form of answer and time for filing and delivery thereof. his answer, if any, to the plaint, and leave with him four copies of the same for the use of the Court. The answer shall contain a clear and concise statement of the facts which form the ground of defence or of any objections relied upon. It shall be taken to admit all facts stated in the plaint which are not expressly denied. It shall be divided into paragraphs numbered consecutively, and shall be signed and verified in accordance with the provisions of sections 51 and 52 of the Code. It shall be indorsed with the name and address of the defendant and, if there is a legal adviser acting for him in the matter, with the name and address of such legal adviser. It shall be according to Form E in the first Schedule or to the like effect.

(2) The defendant filing any answer shall along therewith file with the Registrar a memorandum of the documents (if any) which he pro-

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

poses to adduce in evidence at the hearing of the suit, and leave with him four copies of such memorandum for the use of the Court.

(3) The defendant shall at the same time present to the Registrar a plain paper copy of such answer and memorandum of documents as aforesaid, and the Registrar shall sign such copy if on examination he shall find it correct.

(4) The defendant shall as soon as may be after the filing of his answer deliver to the plaintiff or his recognised agent such signed copy as last aforesaid.

(5) A document which ought to be entered by any defendant in the said memorandum, and which is not entered accordingly shall not, without the leave of the Court, be received in evidence on his behalf at the hearing of the suit.

Nothing in this clause shall apply to any document produced for cross-examination of the plaintiff's witnesses, or in answer to any case set up by the plaintiff in his reply, or handed to a witness merely to refresh his memory.

(6) Should any defendant omit to appear and answer within the time specified in the summons or such further time as may have been granted by any order of enlargement of time made under these rules, he shall be taken to have admitted all the facts stated in the plaint and shall not be permitted to adduce any evidence at the hearing of the suit, but he shall nevertheless be at liberty to cross-examine any witness produced by the plaintiff, and shall be entitled to argue any question at issue as he may be advised.

*Reply.*

22. (1) Within thirty days from the delivery of the answer or the last of the answers to the plaintiff he shall file

Form of reply and time for filing and delivery thereof.

his reply (if any) with the Registrar, and leave with him four copies of the same for the use of the Court. The reply may object to the said answers or any of them as being insufficient, stating the grounds of such objection, or deny the facts stated therein or any of them, or state any other facts in answer to the allegations contained in such answer. It shall be taken to admit all facts stated in the answer and not inconsistent with the plaint which are not expressly denied. It shall be signed and verified in accordance with the provisions of sections

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

51 and 52 of the Code, and shall be according to one of the Forms F in the first Schedule or to the like effect.

(2) The plaintiff shall within the time aforesaid deliver to each defendant who has appeared and answered the plaint a signed copy of his reply.

#### *Consent cases.*

23. The parties may by consent in writing filed with the Registrar dispense with the formal proceedings hereinbefore mentioned, or some portion of them, and orders by consent may be drawn up, and if approved by the Commissioners may be signed by them.

#### *Written statements.*

24. (1) The parties may at any time before or at the first hearing of the suit, tender written statements of their respective cases, and the Court shall receive such statements and place them on record.

(2) The provisions of sections 114 and 115 and 116 of the Code shall apply to all such written statements.

(3) Save as aforesaid no written statement or other pleading shall be received without special leave of the Commissioners.

#### *First hearing.*

25. (1) As soon as the pleadings are complete, the Commissioners shall appoint a time and place for the first hearing of the suit.

First hearing.  
Service of summons and documents.  
Time.

(2) The Registrar shall, in addition to the notification required by rule 11, clause (2), cause a summons to be served upon each of the parties to the suit requiring him to appear in person or by his pleader at the time and place specified in such summons for the settlement of issues in the suit.

(3) Every such summons shall be signed by the Registrar and sealed with the seal of the Court.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

(4) The provisions of sections 72 to 95 of the Code, both inclusive, shall apply to all the summonses hereinbefore mentioned and the service thereof, but save as aforesaid Chapter VI of the Code shall not apply to any suit under these rules.

(5) Every document other than a summons required by these rules to be served upon or delivered to any party may be so served or delivered by forwarding the same by post in a registered cover addressed to such party, or his recognised agent, or where such party is a railway administration or a Company, to the manager or agent of the administration or the chairman or Secretary of the Company at its principal office in India.

(6) In the computation of time under these rules every document so forwarded by post as aforesaid shall be deemed to have been delivered by the party delivering the same when put into the post or handed to some proper officer of the Post Office for the purpose of being posted and to have been delivered to the party to whom the same is addressed in due course of post, unless he shall prove that it was not in fact delivered to him or at his residence until some later time.

26. (1) In the application of Chapter VII of the Code to suits under these rules for the words "fixed for the defendant to appear and answer" or any words tantamount thereto wherever they occur, the words "appointed for the first hearing of the suit" shall be substituted.

Application to suits of Chapter VII with modifications, and non-application to them of sections 99-A, 101, 103 and 107 of Code. Substitution of new section for sections 106 and 102.

(2) None of the provisions of sections 99-A, 101, 103 and 107 of the Code shall apply to any such suit.

(3) For sections 100 and 102 of the Code the following shall be substituted, namely:

Procedure if only some of the parties appear. "100. If any party appears and any other party does not appear, the Court may either—

- (a) proceed *ex parte* as to the party not appearing;
- (b) direct a second summons to be issued and served on the party not appearing; or
- (c) postpone the hearing of the suit to a future day fixed by the Court, and direct notice of such day to be given to the party not appearing."



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.***

(4) Save as hereinbefore appears nothing in Chapter VIII of the Code shall apply to any suit under these rules.

Substitution of new section for section 146, non-application to suits of section 155, and amendment of section 157 of the Code.

27. (1) For section 146 of the Code the following shall be substituted, namely:

“ 146. At the first hearing of the suit the Court shall, after reading the pleadings and the written statements, if any, and hearing the allegations made by the parties or their pleaders, respectively, ascertain upon what material propositions of fact or of law the parties are at variance, and shall thereupon proceed to frame and record the issues on which the right decision of the case appears to the Court to depend.

Issues.

“ When issues both of law and of fact arise in the same suit, and the Court is of opinion that the case may be disposed of on the issues of law only, it shall try those issues first, and for that purpose may, if it thinks fit, postpone the settlement of the issues of fact until after the issues of law have been determined.

“ Nothing in this section shall require the Court to frame and record issues when the defendant at the first hearing of the suit makes no defence.”

(2) Section 155 of the Code shall not apply to any suit under these rules.

(3) Section 157 of the Code shall be read as if the words and figures “ rule 26, clause (3) ” were inserted therein instead of the word and figures “ Chapter VII.”

28. (1) None of the provisions of sections 184, 185, 185-A, 189, 190 and 191 of the Code shall apply to any suit under these rules.

Non-application to suits of sections 184 to 185-A, and 189 to 191. Substitution of new section for section 197 of Code.

(2) For section 197 of the Code the following shall be substituted, namely:

“ 197. The oath of the declarant of an affidavit to be used before the Commissioners may be administered by one Swearing of affidavits. of the Commissioners or by the Registrar, or by any Court or Magistrate or by any officer having authority to administer the oath of the declarant in the case of an affidavit under the Code.”

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.***

29. None of the provisions of section 199 or of sections 207 to 216 of sections 199 and 207 to 216 of Code. both inclusive of the Code shall apply to any suit under these rules.

30. Every order of costs made by the Commissioners shall be made subject to taxation thereof, and such costs shall be taxed by the Registrar or by such other person as the Commissioners may direct upon the order of the Commissioners under which the costs are payable, and unless it shall be otherwise directed by such order, shall be taxed as between party and party.

**GENERAL PROVISIONS.**

*Review.*

31. (1) Every application to the Governor General in Council under the proviso to section 39 of the Act to re-appoint the Commissioners for the purpose of hearing an application for a review of their decision must, unless the Governor General in Council shall in any particular case see fit to enlarge the time for making such application, be made within six weeks after the said decision has been communicated to the parties.

(2) Every such application to the Governor General in Council must be addressed to the Secretary to the Government of India in the Legislative Department, and shall be according to Form A, No. 3, in the first Schedule or to the like effect.

(3) The proceedings upon every such application will be governed as nearly as may be by the provisions of rules 6 to 11, both inclusive.

*View.*

32. In any case in which, in the opinion of the Commissioners, a view is necessary or desirable, it may be had by one or more Commissioners as they may direct.

*Depositing maps, plans and other documents.*

33. The parties shall leave with the Registrar one week before the day fixed for the first hearing of the suit or reference any maps, plans, sections, time-tables and other documents which are referred to in any pleading or written statement filed therein, or which may be useful in explaining or supporting the same.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

#### *Notice of discontinuance.*

34. When any application referred to the Commissioners is withdrawn or settled, the applicant shall immediately give notice of the withdrawal or settlement to the Registrar.

Notice of withdrawal or settlement of application.

#### *Enlargement of time.*

35. (1) When the Commissioners who are to decide an application are not sitting, the Registrar, and when they are sitting the Commissioners, may enlarge the time appointed by any of these rules for doing any act, or taking any proceeding in relation to the application, and any such enlargement may be granted, although the request therefor is not made till after the expiration of the time so appointed.

Enlargement of time.

(2) All applications for enlargement of the time for doing any act or taking any proceeding under these rules, and all applications under Chapter X of the Code prior to the first hearing of the suit or reference shall be made in the first instance to the Registrar who shall have in respect of such applications all the powers of the Court:

Provided that every decision of the Registrar under this rule shall be subject to appeal to the Law Commissioner, who may either hear and decide such appeal himself, or refer the same to the Commissioners for their decision, and in either case such decision shall be final.

(3) Notice of appeal to the Law Commissioner from any decision of the Registrar under this rule must be given to the Registrar and the opposite party or his pleader within forty-eight hours from the date of the decision appealed from.

#### *Transmission of documents by post.*

36. Pleadings and other documents required by these rules to be filed with the Registrar may be sent by post in registered covers addressed to the Registrar to the Railway Commissioners and prepaid.

Sending documents by post to Registrar.

#### *Formal objections.*

37. No orders of the Commissioners shall be reversed or substantially varied, nor shall any case be remanded in appeal, or any proceeding defeated or impeded on account of any error, defect or irregular-

Orders of Commissioners not to be reversed.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.***

ity, whether in the decision or in any order passed in the suit or otherwise not affecting the merits of the case or the jurisdiction of the Court.

*Appeals.*

38. (1) Subject to the provisions of sections 31 and 32 of the Act and of these rules, an appeal shall lie to the High Court from every order of the Commissioners as if it were an original decree of a Court immediately subordinate thereto.

Appeals from orders of Commissioners.

(2) Save as hereinafter mentioned all the provisions of Chapter XLI of the Code shall apply to all such appeals.

(3) Nothing in section 551 of the Code shall apply to any such appeal.

(4) For section 553 of the Code the following shall be substituted, namely:

“ 553. The day so fixed shall be notified by the Registrar of the High Court in the *Gazette of India*, and a copy of such notification shall be served on the respondent or on his pleader in the High Court in the manner provided in Chapter VI for the service on a defendant of a summons to appear and answer; and all rules applicable to such summons and to proceedings with reference to the service thereof shall apply to the service of such notification.”

Publication and service of notice of day for hearing appeal.

*Incidental proceedings.*

39. (1) All the provisions of Part II of the Code except Chapter XXIII and section 396 in Chapter XXV shall apply to all suits and references under these rules.

Application of Part II, except Chapter XXIII and section 396 of Code, to suits and references.  
Practice in cases not expressly provided for.

(2) Save as herein provided the provisions of the Code shall not apply to any such suit or reference.

(3) In every case not herein or in and by the Act provided for the general principles of practice in the High Court shall be adopted and applied by the Commissioners.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.***

*Table of fees.*

40. The fees, a table whereof is in the second Schedule hereto, may be demanded and taken in respect of the proceedings before the Commissioners.
- Table of fees.

**THE FIRST SCHEDULE.**

**FORMS.**

**A.**

*Applications to the Governor General in Council.*

- No. 1.—Application under rule 6 (2).  
 „ 2.—Application under rule 6 (3).  
 „ 3.—Application under rule 31.
- 

**B.**

*Written Statements in cases referred to the Commissioners as Arbitrators.*

[Rule 12 (8).]

- No. 1.—Arbitration under an agreement between two or more Railway Administrations.  
 No. 2.—Arbitration where a suit has been commenced by or against a Railway Administration.  
 No. 3.—Arbitration in other cases.
- 

**C.**

*Forms of plaint.*

[Rule 19 (2).]

- 1.—Complaint under section 28, clause (a) of the Act.  
 2.—Plaint in a suit for a through rate.  
 3.—Plaint in a suit in respect of terminals.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.***

**D.**

*Summons to Defendant to appear and answer Suit [Rule 20 (2).]*

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**E.**

*Answer [Rule 21 (1).]*

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**F.**

*Reply [Rule 22 (1).]*

- 1.—Reply when there is only one defendant who has answered.
  - 2.—Reply when more than one defendant has answered.
- 

**A.**

**No. 1.—Application for a reference to the Commissioners as Arbitrators.**

**TO THE GOVERNOR GENERAL IN COUNCIL.**

<p>In the matter of an agreement for reference to arbitration made between the A. Railway Administration of the one part</p> <p style="text-align: center;">and</p> <p>the B. Railway Administration of the other part,</p> <p style="text-align: center;">or as the case may be.</p>	}	<p>The application of—</p> <p>The A. Railway Administration.</p> <p>The B. Railway Administration, etc.</p> <p>The applicants state as follows :</p> <ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> </ol> <p style="text-align: right;">etc.</p>
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*m.* Various matters in difference have arisen between the applicants in respect of the matters aforesaid, and the applicants are desirous of referring the same and all other matters in difference between them

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

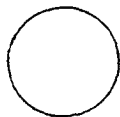
Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

arising out of the said agreement (*or as the case may be*) to the decision of a Railway Commission.

The applicants therefore apply to the Governor General in Council for an order appointing a Railway Commission for the determination of the said matters in difference and all other matters in difference between the same parties (*or as the case may be*) and referring this application and the matters in difference aforesaid to the Commissioners for their decision.

Dated this                      day of                      , 189 .

Signed



Seal of the A. Railway Company,

etc.,

A. B., *Manager*,

etc.,

No. 2.—*Application for a reference to the Commissioners otherwise than as Arbitrators.*

TO THE GOVERNOR GENERAL IN COUNCIL.

The application of A. B., etc.

1. The applicant states that he is aggrieved by the conduct of the Z. Railway Administration in respect of the several matters appearing by the accompanying complaint, and that he is advised that he has no sufficient remedy for such grievances without the aid of a Railway Commission.

2. The applicant therefore applies to the Governor General in Council for an order appointing a Railway Commission and for a reference of

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

the said complaint to the Commissioners, and that the Commissioners may hear and decide the same, and may take such orders in respect thereof as the circumstances may require.

Dated this            day of            189 . . .

Signed A. B.  
or C. D. on behalf of A. B.

---

No. 3.—*Application for an order to review.*

TO THE GOVERNOR GENERAL IN COUNCIL.

In the matter of the Indian Railways Act, 1890,  
and

In the matter of a suit

Between A. B. . . . . Plaintiff.

And the Z. Railway Administration . . . Defendant.

The application of the abovenamed plaintiff  
(or as the case may be).

The applicant states as follows:

1. On the            day of            18            the Governor General in Council was pleased, on the application of the said A. B., to refer the above-mentioned suit to a Railway Commission.

2. On the            day of            18            , etc., state any circumstances that may be material.

m. On the            day of            18            the Commissioners passed an order in the said suit, a copy whereof, and of the judgment whereon such order was founded, accompanies this application.

n. The applicant is advised, and hereby submits, that the said order is erroneous for the following (among other) reasons:

- 1.
- 2.
- 3.

etc.,



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.***

*p.* The applicant is further advised that the said order is not open to appeal by reason that , etc.,

*a.* [*If the reason, or one of the reasons, why the order is not appealable be the delay or other default of the applicant, state here the circumstances on which he relies for the purpose of excusing the same.*]

*y.* The applicant is aggrieved by the said order, but under the circumstances hereinbefore appearing he has no sufficient remedy for such grievance without the aid of the order hereby applied for.

*z.* The applicant therefore applies to the Governor General in Council for an order re-appointing the said Commissioners and referring the said suit back to the Commissioners for the purpose of hearing an application for a review of their said decision, and of granting the same and re-hearing the case if they think that the case should be re-heard.

Dated this                      day of                      189 .

Signed A. B.  
or as the case may be.

—  
B.

**No. 1.—Written Statement in reference under a standing Agreement for reference to arbitration between two or more Railway Administrations.**

**BEFORE THE RAILWAY COMMISSIONERS.**

In the matter of the Indian Railways Act, 1890,  
and

In the matter of a reference to arbitration

Between the A. Railway Administration . . . . Plaintiff.

And the B. Railway Administration . . . . Defendant.

*Written statement on behalf of the plaintiff (or defendant) (or if more than one plaintiff or defendant, of the plaintiff A, or of the defendant B,*

*(or as the case may be).*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

The said plaintiff (*or defendant*) states as follows:

1. By an agreement in writing, dated \_\_\_\_\_, etc., it was amongst other things agreed, etc.,
- 2.
- 3.
- 4.

etc.,

m. The plaintiff (or defendant) claims that, under the circumstances herein appearing, he is entitled to an order declaring, etc., and directing, etc.~

Dated this       day of       189 .

Signed

etc.

[Note—Nothing which already appears in the application signed by all the parties should be repeated in this statement.]

No. 2.—*Written statement when a suit commenced by or against a Railway Administration has been referred to Commissioners as Arbitrators.*

BEFORE THE RAILWAY COMMISSIONERS.

In the matter of the Indian Railways Act, 1890,  
and

In the matter of a suit

Between A. B. . . . . Plaintiff.

And the Z. Railway Administration . . . Defendant.

*Written statement on behalf of the plaintiff* , etc.

1. Upon the \_\_\_\_\_ day of \_\_\_\_\_, 189\_\_\_\_ the plaintiff in-  
stituted a suit against the defendant in the \_\_\_\_\_ Court for the  
recovery of \_\_\_\_\_, etc.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.***

2. By an agreement dated \_\_\_\_\_, etc., [or, by an order dated \_\_\_\_\_ etc.] and made in the said suit by consent of all parties thereto, (or as the case may be) it was agreed, etc.,

3.

4.

etc.,

m. The plaintiff (or defendant) claims, etc. (as in Form No. 1).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, etc.

Signed . . . , etc.

*See note to Form No. 1.*

---

**No. 3.—Written statement in other cases of reference to the Commissioners as Arbitrators.**

**BEFORE THE RAILWAY COMMISSIONERS.**

In the matter of the Indian Railways Act, 1890,

and

In the matter of a reference to Arbitration

Between A. B. . . . . Plaintiff.

And the Z. Railway Administration . . . . Defendant.

*Written statement on behalf of the plaintiff.*

The plaintiff states as follows:

1.

2.

3.

4. By an agreement in writing dated \_\_\_\_\_, etc., it was amongst other things agreed that the parties hereto should concur in an application to the Governor General in Council for a reference of all the said matters in difference to a Railway Commission and \_\_\_\_\_, etc.

5.

6.

etc.,

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

---

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.***

*m.* The plaintiff claims, etc. (as in Form No. 1).

Dated this                      day of                      189 .

Signed    , etc

*See note to Form No. 1.*

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**C.**

**No. 1.—Complaint under section 28, clause (a) of the Act.**

**BEFORE THE RAILWAY COMMISSIONERS.**

In the matter of the Indian Railways Act, 1890.

Between A. B. . . . . . Plaintiff.

And the Z. Railway Administration . . . . Defendant.

A. B., the abovenamed plaintiff, states as follows:

- 1.
- 2.
- 3.

etc.,

*m.* On the                      day of                      18                      the plaintiff applied to the Governor General in Council for an order referring this complaint to a Railway Commission for hearing and determination and by notification No.                      and published in the *Gazette of India* on the                      18                      , the Governor General in Council was pleased to order, etc.

[*The dates and numbers to be left blank, and be filled in by the Registrar after the order of reference has been made.*]

*n.* The plaintiff prays for an order enjoining the said Railway Administration (*here state concisely the nature of the application, as for example*) to desist from giving any undue preference to themselves or other persons in the forwarding, or in the receiving, forwarding and

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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*THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).*

Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

delivering for themselves or other persons of goods or in their charges for the same over the said A. B. in the forwarding of such goods for him, and enjoining the said Railway Administration not to subject him to any undue prejudice in respect thereof.

Dated this                      day of                      18 .

Signed                      A. B.

or C. D.,

*Legal Adviser to A. B.*

---

*No. 2.—For a Through Rate.*

**BEFORE THE RAILWAY COMMISSIONERS.**

In the matter of the Indian Railways Act, 1890.

Between the A. Railway Administration . . . . *Plaintiff.*

And the Z. Railway Administration . . . . *Defendant.*

The abovenamed plaintiff states as follows:

1. The plaintiff's railway system comprises, amongst other lines, a line on the statutory broad gauge running from X to Y.
2. The defendant's railway system comprises, amongst other lines, a line on the like gauge running from Y to Z.
3. There is a physical connection between the two lines above-mentioned by a junction at A;  $x$  chains from the plaintiff's station at X and  $y$  chains from the defendant's station at Y. By means of this connection carriages and wagons can freely pass and re-pass from the plaintiff's line to the defendant's line, and *vice versa*.
4. There is a considerable traffic in                      between X and Z, and it would be a great convenience, in the interests of the public, that                      goods should be carried from X to Z at through rates:

THE INDIAN RAILWAYS ACT, 1890 (IX of 1890).

5. On the \_\_\_\_\_ day of \_\_\_\_\_ the plaintiffs by their manager gave a written notice to the defendant, a copy whereof is set forth in the Schedule hereto, No. 1.

6. On the \_\_\_\_\_ day of \_\_\_\_\_ the plaintiff received from the defendant a written notice of objection, copy whereof is set forth in the said Schedule No. 2.

7. On the \_\_\_\_\_ day of \_\_\_\_\_, etc., the plaintiff applied to the Governor General in Council, etc. (as in Form No. 1).

Dated this            day of            189 .

Signed \_\_\_\_\_, etc.

BEFORE THE RAILWAY COMMISSIONERS.

*Title as in No. 1.*

A. B., the abovenamed plaintiff, states as follows:

- 1.
- 2.
- 3.

etc.,

m. On the                      day of                      189    , (as in No. 1).

n. The plaintiff prays as follows:

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

1. That it may be declared that the terminal of so.  
charged by the defendant as aforesaid is not a reasonable terminal under the circumstances herein appearing.
2. That the defendant may be restrained by injunction from continuing to charge the said terminal.
3. That it may be decided what is a reasonable sum to be paid to the defendant in respect of such terminal as aforesaid.
4. That such further or other order may be made as the circumstances may require.

Dated this            day of            189 .

Signed            , etc.

D.

*Summons to appear and answer.*

BEFORE THE RAILWAY COMMISSIONERS.

In the matter of the Indian Railways Act, 1890.

*Title.*

To the defendant, the Z. Railway Administration.

Whereas the Governor General in Council has referred to a Railway Commission the complaint of the abovenamed plaintiff, A. B., a copy whereof accompanies this summons, you are hereby required within thirty days from the service hereof upon you to put in your answer to the same, and take notice that, in default of such answer being put in within such time, the Railway Commission may proceed to hear the suit *ex parte*.

And you are further required along with your answer to file a complete list or memorandum of all documents in your possession or power containing evidence relating to the merits of the plaintiff's

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*contd.*

case, and of all documents, whether in your possession or not, upon which you intend to rely in support of your case.

Given under my hand and the seal of the Commissioners this  
day of 18 .

Signed M. N.,  
Registrar.

---

E.

*Answer [Rule 21 (1).]*

BEFORE THE RAILWAY COMMISSIONERS.

In the matter of the Indian Railways Act, 1890.

*Title.*

In answer to the plaint of the abovenamed plaintiff, the abovenamed defendant, the Railway Administration, states that—

1.

2.

This answer is made on behalf of the said Railway Administration by C. D. of , who is acquainted with the facts stated therein.

Dated this day of 18 .

Signed C. D.

---

F.

*No. 1.—Reply—One defendant [Rule 22 (1)].*

BEFORE THE RAILWAY COMMISSIONERS.

In the matter of the Indian Railways Act, 1890.



THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

*Title.*

- 1.
2. And the said A. B. admits that—

Signed      A. B.  
                or C. D.,

*Legal Adviser to A. B.*

BEFORE THE RAILWAY COMMISSIONERS.

*Title.*

1. In reply to the answer of the defendant, the A. Railway Administration, the plaintiff states that—

2.

3.

4. In reply to the answer of the defendant, C. D., the plaintiff states that \_\_\_\_\_, etc.,

5.

6.

m. And the plaintiff admits that \_\_\_\_\_, etc.

Dated this                      day of                      189 .

Signed etc.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

Rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of Act—*concl'd.*

**(THE SECOND SCHEDULE.)**

**TABLE OF FEES (RULE 40).**

*To be taken in relation to Proceedings before Railway Commissioners.*

	Rs. A. P.
Every plaint filed . . . . .	5 0 0
Every summons . . . . .	3 0 0
Every answer, reply or other written statement filed . . . . .	3 0 0
Office copy of proceedings or other documents of the like nature per hundred words or fraction of a hundred words . . . . .	0 8 0
<i>Note.</i> —Copies of maps plans, sections and the like are to be paid for by the party requiring them according to the actual cost.	
Every hearing in the nature of an arbitration between Railway Administrations [Act IX, 1890, s. 28 (b) and (c)], each day or part of a day . . . . .	200 0 0
Every decision of such difference . . . . .	100 0 0
Every hearing in the nature of an arbitration one of the parties being other than a Railway Administration [Act IX, 1890, s. 28 (c)], each day or part of a day . . . . .	100 0 0
Every decision of such difference . . . . .	50 0 0
Every decree or final order made in any suit . . . . .	50 0 0
<i>Note.</i> —The fee for the hearing is to be paid on each day by the party whose case is then being heard, unless the Commissioners otherwise order.	

**NOTE.**—All fees shall be collected by court-fee stamps.

Stamps representing the fee for a summons shall be affixed to the application for the issue of the summons.

Stamps representing the fee for an office copy shall be affixed to the application for the copy.

The paper bearing stamps representing any other fee must have infixed thereon a description of the proceeding in respect of which the fee was paid.

Every stamp filed must be cancelled in accordance with the law and rules for the time being in force for the cancellation of court-fee stamps.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic.

IX of 1890. <sup>1</sup>No. 114, dated the 6th July, 1912.—In exercise of the powers conferred by section 47 of the Indian Railways Act, 1890,<sup>2</sup> and by notification of the Government of India in the Department of Commerce and Industry, No. 801, dated the 24th March, 1905, and in supersession of the rules annexed to the Government of India, Public Works Department, Resolution No. 736-R. T., dated the 17th October, 1890, and of all other rules made in this behalf, the Railway Board hereby make the following general rules for such portion or portions of railways in British India administered by the Government, as may be under construction, and not used for the public carriage of passengers, animals or goods:—

### CHAPTER I.

#### PRELIMINARY.

1. In these rules, unless there is anything repugnant in the subject Definitions or context,—

- (1) “adequate distance” means the distance sufficient to ensure safety, having regard to the local conditions obtaining;
- (2) “authorised officer” means the person who is duly empowered by general or special order of the Engineer-in-Chief either by name or by virtue of his office, to issue instructions or do any other thing;
- (3) “authority to proceed” means the authority given to the driver of a train, under the system of working, to leave the station with his train;
- (4) to “block” means to despatch a message from a station intimating to the next station on either side that the block-section is obstructed, or is to be obstructed;
- (5) “block-section” means that portion of the running road between two stations on to which no running train may enter until permission to approach has been received from the station at the other end of the section;
- (6) the expression “connections,” when used with reference to a running road, means the points and crossings or other appliances used to connect such road with other roads or to cross it;

<sup>1</sup> Published with Resolution No. 1216-R. T., dated the 6th July, 1912, see Gazette of India, 1912, Pt. I, p. 751, and under that Resolution was brought into force on 1st October, 1912.

<sup>2</sup> Genl. Acts, Vol. IV.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX of 1890).**

**General Rules for working Railways under Construction and not open to traffic—*contd.***

- (7) "Construction train" means a train working solely for the purposes of construction;
- (8) "day" means from sunrise to sunset;
- (9) "Engineer-in-Chief" means the Constructing Engineer who is the head for the time being of the staff engaged on construction, or, if the Construction is under control of an Open Line Administration, the Engineer appointed by that Administration to exercise the powers of Engineer-in-Chief under these rules;
- (10) "Engine Driver" means the person for the time being in charge of a working locomotive engine;
- (11) "fixed signal" includes a semaphore arm for use by day and a fixed light for use by night;
- (12) "fouling point" means the point at which the infringement of fixed Standard Dimensions occurs, where two tracks cross or join one another;
- (13) "Ganger" means the person in charge of a gang of plate-layers or other workmen employed on the permanent way;
- (14) "goods train" means a train (other than a construction train) intended solely or mainly for the carriage of animals or goods;
- (15) the expression "Government Inspector" when used with reference to any railway, means an Inspector appointed to exercise any functions under the <sup>1</sup>Indian Railways Act, IX of 1890, in respect of that railway;
- (16) "Guard" includes a brakesman or any other railway servant who may for the time being be performing the duties of a guard;
- (17) "main line" means the line ordinarily used for running trains through and between stations;
- (18) "night" means from sunset to sunrise;
- (19) "obstruction" or "obstructing" means a train, vehicle or obstacle on or fouling a line, or any condition which is dangerous to trains;
- (20) "permission to approach" means the permission given from a station to a station in rear for a train to leave the latter and approach the former;

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**General Rules for working Railways under Construction and not open to traffic—*contd.***

- (21) "running road" means the track, which may consist of one or more lines with the cross-over roads connecting them, to be used by a train when entering or leaving a station or when passing through a station or between stations;
  - (22) "running train" means a train which has started under an authority to proceed and has not completed its journey;
  - (23) "special instructions" means instructions issued from time to time by the authorised officer in respect to particular cases or special circumstances;
  - (24) "special train" means any train which is neither a goods train nor a construction train;
  - (25) "station" means any place on a line of railway at which an authority to proceed is given under the system of working;
  - (26) "station limits" means the portion of a railway which is under the control of a Station Master, and is situated between the outermost signals of the station<sup>1</sup> [or between such other marks as shall be settled by special instructions];
  - (27) "Station Master" means the person on duty who is for the time being responsible for the working of the traffic within station limits;
  - (28) "station section" means that section of station limits at a Class B station which is included—
    - (1) between the Home signals; or
    - (2) between the outermost facing points if there are no Home signals;
  - (29) "system of working" means the system adopted for the time being for the working of trains on any portion of a railway; and
  - (30) "train" means an engine, with or without vehicles attached.
2. Stations shall for the purposes of these rules be deemed to be—
- Class B stations*, defined in open line working rules as stations where permission to approach may be given for a train before the line has been cleared for the reception of the train within the station section or within the station limits, as the case may be.

Classifica-  
tion of  
stations.

<sup>1</sup> These words were added by Notification No. 169, dated 26th June, 1914, see Gazette of India, 1914, Pt. I, pp. 1180-81.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

CHAPTER II.

SIGNALS.

A.—General Provisions.

General use  
of signals.

3. The signals prescribed in these rules shall be used for controlling the movement of trains in all cases in which exceptions are not allowed by special instructions of the Engineer-in-Chief (*see also rule 36*).

Kinds of  
signals.

4. The signals to be used for controlling the movement of trains shall be—

fixed signals,  
hand signals, and  
detonating signals.

Use of night  
signals by  
day.

5. The signals prescribed in these rules for use by night shall also be used by day in tunnels and in thick or foggy weather.

B.—Fixed Signals.

Use of  
semaphore  
Stop signals.

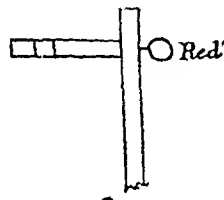
6. Unless special instructions are issued to the contrary by the Engineer-in-Chief, all railways shall be equipped with semaphore signals which shall be Stop signals.

Description  
of Stop  
signals, and  
their  
indications.

7. (1) The arm of the signal shall be square ended, and the signal shall be arranged to give two indications, namely, "Stop" and "Proceed," either by the position of the arm or by the showing of a light.

(2) The horizontal position of the arm, or, at night, the showing of a red light, thus—

constitutes the "on" or "danger" position, and signifies "Stop dead," and do not pass till the arm is lowered or (at night) till the light is changed to green.

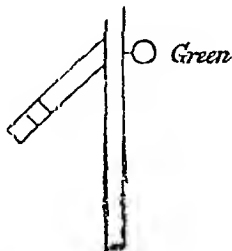


**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

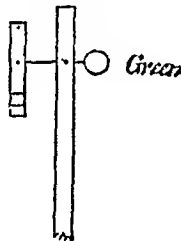
**General Rules for working Railways under Construction and not open to traffic—*contd.***

(3) The inclined position of the arm, lowered to an angle of from  $45^{\circ}$  to  $60^{\circ}$  below the horizontal, or, at night, the showing of a green light, thus—



constitutes the "off" position, and signifies "Proceed."

(4) If allowed by special instructions of the Engineer-in-Chief the arm, when "off", may be vertical, thus—



8. (1) The Stop signals which control the movement of trains approaching a station are of three kinds, namely, Outer, Home, and Track (or Routing) signals. Kinds of Stop signals for approaching trains.

(2) The Outer signal is a signal fixed at an adequate distance outside the place where a train usually comes to a stand in accordance with the system of working.

(3) The Home signal is generally placed at the entrance points and is the first Stop signal of a station at which an Outer signal is not provided and the second Stop signal of a station at which an Outer signal is provided. Instead of the Home Signals a Main Signal may, under special instructions of the Engineer-in-Chief, be used.

The Main signal is a signal fixed within station limits, generally near the centre of a station. It is ordinarily provided with two semaphore arms only, one on either side of the post, in which case the left-hand arm only is applicable to approaching trains. No other arrangement of arms may be used without the sanction of the Engineer-in-Chief.

(4) The Track or Routing signal is a special bracketted signal used to indicate to an Engine Driver which of two or more diverging tracks

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

is made for him when the Home signal is, in consequence of its position, inconvenient for that purpose.

9. (1) Co-acting signals are duplicate signals fixed vertically below ordinary signals, and are provided where, in consequence of the great height of the signal post, or of there being an overbridge or other obstacle, the main arm or light is not in view of the Engine Driver during the whole time that he is approaching it.

(2) Co-acting signals must be fitted at such height that either the main arm or light or the Co-acting arm or light may always be visible.

10. A Banner Flag is a temporary fixed danger signal consisting of a red cloth supported at each end on a post and stretched across the line to which it refers.

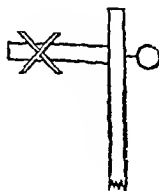
11. (1) The normal position of every fixed signal shall be "danger."

(2) Every fixed signal shall be so constructed that, in case of failure of any part of its connections, it shall remain at, or return to its normal position.

12. Signal arms must be placed on the left hand side of the post as seen by the Driver of any approaching train.

13. Signal arms must be painted red with a white bar on the side facing trains to which they refer, and white with a black bar on the other side.

14. When semaphore signals are not in use the arms must remain fixed in the "on" position, and must be distinguished by having two crossed bars on them, each bar being not less than 3' 6" long and 4" wide, thus—



15. Fixed signals shall be fixed on the side of the line on which they can be seen by Drivers of approaching trains, but the left-hand side of the track is to be preferred unless the sighting is greatly interfered with.



Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

16. Unless otherwise permitted by special instructions of the Engineer-in-Chief—

- (a) where two or more lines diverge, the signals must be fixed on a bracket-post; and
- (b) where two or more lines converge, the signals must be fixed on separate posts or, where this is not practicable, then on a bracket-post:

Bracket-posts and signal posts when to be used.

Provided that, where the number of signals is considerable, they may be fixed on separate posts or dolls carried on a Signal-bridge provided for the purpose.

17. Not more than one signal referring to trains moving in the same direction (whether on the same track or on separate tracks) shall be placed on the same post, unless—

Placing of more than one signal on the same post.

- (a) the lower signal is a Co-acting signal, or
- (b) the sanction of the Engineer-in-Chief has been obtained.

18. (1) In the case of all bracket or bridge signals, the left-hand signal shall be read as referring to the left-hand road, and the second signal from the left shall be read as referring to the next road from the left, and so on.

Relation of signals to particular roads.

(2) Where, with the sanction of the Engineer-in-Chief under rule 17, clause (b), two or more signals are placed on the same post, the top arm shall be read as referring to the left-hand diverging road, and the second arm shall be read as referring to the next road from the left, and so on.

19. Signals on brackets and bridges shall be distinguished as much as possible by grouping and by making the more important signals higher than the less important signals.

Distinction between signals.

20. (1) Every fixed signal, the light of which cannot be seen from the point from which the signal is worked, must be provided with a back-light or tell-tale, by which the Station Master may see whether the light is burning or not.

Back-lights.

(2) Back-lights of signals must show a small white light when "on," and no light at all in any other position.

*C.—Hand Signals.*

21. A hand signal shall be made—  
by day, by showing a flag or hand, and,  
by night, by showing a light.

Hand Signals how made.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**General Rules for working Railways under Construction and not open to traffic—*contd.***

Stop signal  
how given

22. The Stop signal shall be given—

by day,—

(a) by showing a red flag, thus—



or

(b) in the absence of flags, by raising both arms with the hands above the head, thus—



and by night,—

(i) by showing a red light; or

(ii) in the absence of a red light, by violently waving a white light.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**General Rules for working Railways under Construction and not open to traffic—*contd.***

23. The Proceed with caution signal must be used when it is intended that a train should proceed slowly, and shall be given—

Proceed with  
caution signal  
when used  
and how  
given.

by day,—

(a) by waving a green flag vertically thus—



OR

(b) in the absence of flags, by waving one arm in a similar manner, thus—



and, by night, by similarly waving a green light.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

Proceed  
signal how  
given.

24. The Proceed signal shall be given—  
by day,—

(a) by holding a green flag steadily,  
thus—



(b) in the absence of flags, by holding  
out one arm steadily,  
thus—



and, by night, by holding a green light steadily.

Signals for  
shunting.

25. In shunting operations, signals shall be given as follows:—

- (1) *to move away from* the person signalling, a green flag or green light moved slowly up and down;
- (2) *to move towards* the person signalling, a green flag or green light moved from side to side across the body;
- (3) *to slow down*, the above signals to be displayed slower and slower until the Danger signal is given.

25A. In shunting operations the following signals may, during daylight, be substituted for signals by flag:—

- (1) *to move away from* the person signalling, throw the arm nearer to the driver in the forward direction;

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

- (2) to move towards the person signalling, throw the arm nearer to the driver across the body in the direction in which the train is to move;
- (3) to slow down, the above signals to be displayed slower and slower until it is desired to stop, when both arms should be raised, with the hands above the head;
- (4) to show that part of the train is uncoupled, place the hands together in front of the body and separate them smartly: (this signal, when necessary, is to be given before the movement signal).

*D.—Detonating Signals.*

26. "Denotating" signals (otherwise known as "Fog" Signals) are appliances placed on the rails so as to explode with a loud report when an engine passes over them, for the purpose of attracting the attention of Engine Drivers. Detonating signals defined.

27. All Station Masters, Guards, Engine Drivers, Gangers and Gatemen, and all other railway servants on whom this duty may be laid by the Engineer-in-Chief must keep a stock of detonators. Stocks of detonators.

28. In thick or foggy weather, whenever it is necessary to indicate to the Driver of an approaching train the locality of a signal, two detonators must be placed on the line, by a railway servant appointed by the Station Master in this behalf, about ten yards apart and at least one hundred yards outside the outermost signal of the station. Placing of detonators in thick or foggy weather.

29. (1) Whenever, in consequence of an obstruction of a line, it is necessary for a railway servant to show hand danger signals at some place short of such obstruction, he shall put on the line one detonator, half-way out to such place, and three detonators, about ten yards apart, at such place. Placing of detonators in case of obstruction.

(2) If the said railway servant is recalled before the obstruction is removed, he must leave down three detonators and must on his way back pick up the intermediate detonator.

30. In all cases where the use of detonators is necessary under these rules, on a mixed gauge, detonators must be placed on one rail of each gauge, or on the rail common to both. Placing of detonators on a mixed gauge.

31. Detonators must be placed on the line with the label or brand upwards, and must be secured by bending the clasp round the upper flange of the rail. Securing of detonators on the line.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**General Rules for working Railways under Construction and not open to traffic—*contd.***

Renewal of  
detonators  
on the line.

32. Every railway servant placing detonators on the line must see that they are, when necessary, renewed immediately after a train has passed over them.

*E.—Signals at Stations.*

Obligation to  
provide fixed  
signals at  
stations.

33. The fixed signals prescribed in this sub-chapter shall be provided at every station except—

- (a) stations between which trains are worked on the One Engine Only system mentioned in Chapter X, and
- (b) stations which are exempted from this rule by special instructions of the Engineer-in-Chief.

Inspection of  
fixed signals.

34. Fixed signals shall not be brought into use until they have been passed by the authorised officer as being sufficient to secure the safe working of trains.

Minimum  
equipment of  
fixed signals.

35. The minimum equipment of fixed signals to be provided for each direction shall be as follows:—

at a Class B station—an Outer signal, and a Home signal.

Exceptions  
to rule 35.

36. Notwithstanding anything contained in rule 35—

- (a) on any railway under construction all signals, except one Stop signal at each station for each direction, may, under the special sanction of the Engineer-in-Chief, be dispensed with, the said Stop signal being placed at such point within or outside the station-yard as he may approve, and trains being worked in accordance with special instructions; and
- (b) on any railway under construction all or any signals may, with the special sanction of the Engineer-in-Chief, be dispensed with, trains being worked in accordance with his special instructions.

Additional  
fixed signals  
at stations  
generally.

37. (1) In addition to the equipment prescribed in rule 35 such other fixed signals \* \* \* must be provided at every station as may, in the opinion of the Engineer-in-Chief, be necessary for the safe working of trains.

(2) As construction approaches completion the temporary "fixed" signals which have served for construction purposes may be replaced by the permanent "fixed" signals which will be needed for open line working. If these are introduced, the Engineer-in-Chief may apply such portion of the General Rules for working open lines of railway as may

<sup>1</sup> The words "if any" were omitted by Notification No. 169, dated 26th June, 1914, see Gazette of India, 1914, Pt. I, pp. 1180-81.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**General Rules for working Railways under Construction and not open to traffic—*contd.***

in his opinion be applicable to the particular signals that he is bringing into use. The responsibility for seeing that these rules are properly applied lies on the Engineer-in-Chief.

*F.—Signals at Gates.*

38. Unless exempted under special instructions, every gate which closes across the line at a level crossing must, except when interlocked with station signals, be provided with semaphore signals fixed at an adequate distance from the gate and showing Stop signals both up and down the line when the gates are open for the passage of road traffic.

*G.—Working of Fixed Signals.*

39. (1) Subject to the provisions of rule 11 fixed signals must always be kept "on" (that is, at "danger") except when taken "off" (that is, lowered) to allow a train to pass.

(2) No fixed signal shall be taken "off" without the permission of the Station Master.

(3) The Station Master shall not give permission to take signals "off" to admit a train until—

(a) all facing points over which the train will pass are correctly set and secured;

(b) all trailing points over which the train will pass are correctly set, and

(c) the line over which the train is to pass is clear and free from obstructions.

(4) Except in cases of emergency, a signal which has been taken "off" for the passage of a train shall not be placed "on" until the whole of the train which it controls has passed it or, in the case of a Main signal, has arrived at the place at which trains usually come to a stand.

(5) At stations when two or more trains are approaching simultaneously from any direction the signals for one train only at a time may be taken "off," all other signals being kept "on" until the train for which the signals have been taken "off" has come to a stand at the station or has cleared the station.

40. (1) When a train is approaching a station any Stop signal controlling its approach shall not be taken "off" until the train has first been brought to a stand outside the signal unless the line is clear for an

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

adequate distance beyond the place at which trains usually come to a stand.

(2) The adequate distance referred to in sub-rule (1) shall never be less than a quarter of a mile without the sanction of the Engineer-in-Chief.

Shunting.

41. Outer, Home or Main signals of stations shall not be taken "off" for shunting purposes.

*H.—Defective Signals.*

Duties of Station Master.

42. As soon as the Station Master becomes aware that any signal has become defective or has ceased to work properly, he shall—

- (a) take measures, either by disconnecting the wire or by other means, to place the signal "on," if it is not already in that position;
- (b) depute one or more competent railway servants, with such hand signals and detonators as may be required, to give signals at the place where the defective signal is situated, until the Station Master is satisfied that such signal has been put into proper working order;
- (c) if possible, advise the station in rear in order that the Drivers of all approaching trains may be warned; and
- (d) report the occurrence to the person who is responsible for the upkeep of the signal.

Intimation to station when defects remedied.

43. As soon as a defective signal has been put into good working order, the Station Master must intimate the fact to the station which was advised of its being defective.

CHAPTER III.

WORKING OF TRAINS GENERALLY.

Standard time.

44. The working of trains between stations shall be regulated by the standard time prescribed by the Governor General in Council, which shall be sent daily to all the principal stations on the railway, when practicable.

Notice of running.

45. No trains shall be allowed to run unless previous notice has been given, when practicable, to all stations concerned.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**General Rules for working Railways under Construction and not open to traffic—*contd.***

46. (1) No person other than the Station Master may ask for or give permission to approach or give authority to proceed. Permission to approach and authority to proceed.

(2) An authority to proceed given to a running train shall lapse as soon as the last vehicle of the train has passed inside the Home signal; or, where there is no Home signal, inside the facing points.

47. (1) Engines pushing trains outside station limits shall not ordinarily exceed a speed of fifteen miles an hour, but in special cases, the speed may be increased to a limit of twenty-five miles an hour, or such other speed as may be ordered by the special instructions of the Engineer-in-Chief. Pushing engine.

(2) Sub-rule (1) shall not apply to an engine assisting in rear of a train.

48. When any train is drawn by an engine running tender foremost the speed shall not exceed fifteen miles an hour, or such higher speed, not exceeding twenty-five miles an hour, as may be authorized by special instructions. Engine running tender foremost.

49. (1) Except under special instructions, no engine with vehicles attached shall be despatched from any station without one or more Guards and one or more brake-vans or hand braked vehicles. Guard and brake-vans.

(2) Every Guard must, except under special circumstances, ride in his own brake-van or braked vehicle.

(3) Unless it be otherwise directed by special instructions one brake-van or braked vehicle must be attached to the rear of the train:

Provided that reserved carriages or other vehicles may, under special instructions, be placed in rear of such van.

50. (1) No wagon or truck shall be so loaded as to exceed the maximum gross load on the axles fixed under section 53, sub-section (3), of the Indian Railways Act, 1890, or such less load (if any) as may have been prescribed by the Engineer-in-Chief. Loading.

IX of 1890.

(2) Except under special instructions, no vehicles shall be so loaded as to exceed the maximum moving dimensions prescribed from time to time by the Railway Board.

51. If a Guard or Station Master has reason to apprehend danger from the condition of any vehicle on a train before it can be inspected by a Carriage and Wagon Examiner, the Engine Driver shall be consulted, and, if he so requires, the vehicle shall be detached from the train. Dangerous vehicles.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

Travelling  
cranes.

52. When attaching a travelling crane to a train, the Guard in charge of the train must see that the jib is properly lowered and secured, and that the crane is, if practicable, so placed that the jib will point towards the rear.

Dummy  
truck.

53. When the jib of a travelling crane projects beyond its truck, or when the load in a truck projects to an unsafe extent beyond the end of the truck, an additional truck shall be attached, to act as a dummy.

Private  
engines and  
vehicles.

54. No engine or other vehicle, the property of a private owner, shall be allowed to enter upon the railway, except in accordance with special instructions.

Train-lights.

55. At night, and in thick or foggy weather,—

(1) no train shall be worked outside station limits unless it has—

- (a) the head-lights prescribed by the Railway Administration of the open line with which the construction line is connected or such other head-lights as may be prescribed by the Engineer-in-Chief, and
- (b) in the case of an engine with vehicles attached, at least one red tail-light;
- (c) in the case of a single engine without vehicles attached, at least one red tail-light; and
- (d) in the case of two or more engines coupled together without vehicles attached, at least one red tail-light affixed to the rear engine;

(2) no engine shall be employed in shunting within station limits or in a siding unless it has the head-lights and tail-lights prescribed in sub-rule (1); and

(3) when a train has been shunted for a following train to pass, the tail-light and side-lights must be dealt with, in accordance with the rules prescribed by the Railway Administration of the open line with which the construction line is connected, or such other instructions as may be specially prescribed by the Engineer-in-Chief.

Limits of  
speed generally.

56. Every train must be run on each section of the line within the limits of speed sanctioned for that section by special instructions.

Limit of  
speed through  
acing points.

57. Except under special instructions regarding interlocked stations only, no train shall be run through facing points at a speed exceeding ten miles an hour, or such lower rate as may be prescribed by special instructions.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

58. Where there are points in the main line at a place which is not a station, provision for the protection of such points, by signals or otherwise, and for working them, shall be made in order to secure the safe working of trains to the satisfaction of the Engineer-in-Chief.

Protection of  
and working of  
points.

59. When a train is to run, without stopping, through any station that is not interlocked, the Station Master of that station, or some railway servant appointed in this behalf by special instructions, must proceed to the facing points and satisfy himself that all facing points over which the train will pass are properly set and locked.

Running  
through  
station.

60. Before a train carrying coolies is moved, the Engine Driver must give two clear whistles at an interval of half a minute, as a warning to the coolies that the train is about to move, and as prescribed in rule 193 (a) the Driver shall be specially careful not to move the train without the orders of the Guard.

Warning  
before moving  
a construction  
train.

61. When a train with coolies is stabled at a station for the night, it must be protected in the following manner:—

Protection  
of construction  
train  
when stabled.

(1) the Guard in charge of the train must see that all necessary points connected with the siding on which the train is stabled are correctly set against the train, and must then inform the Station Master, and until the train is ready to start,—

(a) if the station is not interlocked—must, if the points are provided with padlocks, padlock all necessary points connected with the siding on which the train is stabled and keep the keys in his possession; or

(b) if the station is interlocked or if the points are not provided with padlocks, must tie a red flag on the lever-handle working the points; and

(2) when under clause 1 (b) a red flag has been affixed, the Station Master must take steps to ensure that the lever is not worked until the said Guard has removed the flag.

62. Shunting operations shall be controlled by Hand signals, or by verbal directions, as occasion may require.

Control of  
shunting.

63. No vehicle shall be moved so as to foul or obstruct any running road unless the previous sanction of the Station Master has been obtained.

Moving of  
vehicles so as  
to obstruct  
running road.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

Shunting on steep gradient.

64. When any vehicle is being shunted or detached on a steep gradient, the railway servant in charge of the operation must see that a sufficient number of brakes are put on, that sprags or hand-scotches are used when necessary, and that all necessary precautions are taken to prevent the vehicle getting out of control.

Loose shunting.

65. Loose shunting of, or against, vehicles containing workmen, explosives or live-stock is prohibited.

Working in case of accident or failure of electric connections.

66. In case of accident to the line or to any train, or of failure or interruption of electric connections, trains must be worked between stations in accordance with special instructions.

*Trains stopped between stations by accident, failure or by any condition of the road which is dangerous to trains.*

Train stopped between stations.

67. When a train is stopped between stations, the Guard in charge of the train must, unless the stoppage will only be one for a few minutes, immediately ascertain the cause; and, if the stoppage is other than incidental or authorised, and if he finds that through accident or for any other reason the train cannot proceed, the following action shall be taken, namely,—

- (1) the said Guard must immediately either himself go back or send a qualified person back, to protect the train;
- (2) the person so going back to protect the train must plainly show his hand Danger signal to stop any approaching train, and in addition to his hand signals must take detonators (to be used by day as well as by night), and must place them, upon the line on which the stoppage has occurred, as follows, namely:—
  - (a) one detonator, one quarter of a mile from his train, to be placed on the way out; and
  - (b) three detonators, ten yards apart, not less than half a mile from his train, or at such distance as has been fixed by special instructions;
 and must also continue to show his hand Danger signal, to stop any approaching train, until he is recalled;
- (3) when such person is recalled, he must leave down three detonators, and must on his way back pick up the intermediate detonator;

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

- (4) the Engine Driver must at once show a Danger signal to the front, and must proceed to protect the train in front in the manner prescribed in clauses (2) and (3), either by going himself or by sending his Fireman or some other qualified person;
- (5) if the stoppage has occurred on one of two or more parallel tracks, whether of the same or different gauges, the Danger signals hereinbefore referred to must be shown on all the lines. If it is found that the unoccupied line or lines are also obstructed the persons deputed to protect the train under clauses (1), (2), (3) and (4) of this rule must, while carrying out the duties therein laid down, protect in a similar manner the unoccupied line or lines obstructed; but if it be subsequently found that the unoccupied line or lines are not obstructed, the said Danger signal may be removed from such lines as are not obstructed.

68. If the engine is for any reason unable to proceed, the Guard in charge of the train shall send advice to the nearest station, stating the nature and cause of the accident, and, if assistance has been asked for, he shall not allow the engine or any portion of his train to be moved until such assistance arrives, provided that if the train is subsequently able to move it may do so at walking pace, but not unless a man has been sent with hand signals and detonators to protect the train, such man keeping at least a quarter of a mile in advance of the train, the other end of the train being protected in a similar manner. Sending advice of accident or break-down.

69. If any light engine should, while on the line outside station limits, be unable to proceed, the Engine Driver must see that the precautions prescribed by rule 67 are taken for the protection of the engine, both in front and rear; employing the Fireman or some other competent person to assist him. Light engine pre-stopped on line.

70. (1) If any portion of a train should, while in motion, become detached.— Train parting.

- (a) the Engine Driver must use his judgment to keep the front portion in motion if possible until the rear portion has been brought to a stand, so as to avoid the chance of a collision between the two portions, and
- (b) the Guard or Guards in the rear portion must promptly apply their brakes, and do all they can to prevent a collision with the front portion.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

(2) As soon as the rear portion of the train has been brought to a stand, the Guard in charge of the train must protect that portion, in accordance with rule 67, both in front and rear.

Portion of  
train left on  
line.

71. (1) When a train, stopped between stations, has to be divided in consequence of an accident or the inability of the engine to take the whole train forward, the Guard in charge of the train must, before uncoupling, put down the brakes, and must, if necessary, otherwise carefully secure the rear portion of the train to ensure its remaining stationary.

(2) If the engine is capable of proceeding either with or without vehicles, the said Guard shall give written permission to the Engine Driver to uncouple and proceed to the next station, and may, if he thinks fit, give him written instructions to return on the same line.

(3) When the said Guard has taken action under sub-rule (2), he must immediately take steps to protect the rear portion of his train in accordance with rule 67.

(4) At night or in thick or foggy weather as soon as the engine, whether with or without vehicles, is drawn forward, the said Guard must see that a light is shown on the front vehicle of the rear portion of the train.

(5) When the front portion of the train is taken forward, the Fireman or, if there are two Guards with the train, the second Guard must, if it is practicable and safe to do so, ride upon the last vehicle of the said front portion of the train until it reaches the next station; but no tail-lamp or tail-board shall be placed on it.

(6) On entering a station with the knowledge that the block section behind is obstructed, the first duty of the Driver, when the train consists of the engine only, is to instantly warn the Station Master on duty of this fact, and when vehicles are attached and a Guard accompanies, this first duty devolves upon the Engine Driver and Guard jointly.

(7) When, under the written instructions referred to in sub-rule (3), the engine is to be brought back, the Guard in charge of the train must, until the arrival of the engine, continue to take the precautions prescribed in rule 67, for the protection in rear of the portions of the train left on the line, and shall not permit a following train to move any of the vehicles under his charge.

(8) The Engine Driver shall not bring his train back on the same line unless he has received written instructions, under sub-rule (2), from the Guard in charge of the train to do so.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX of 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

*Construction trains authorised to stop outside station limits or to detach wagons outside station limits.*

72. Under special instructions construction trains may be authorized to stop outside station limits or to detach wagons outside station limits, provided that the respective lengths of line on which such trains are to work have first been "blocked."

Authority to stop trains or to detach wagons outside station limits.

CHAPTER IV.

SYSTEMS OF WORKING.

73. All trains working between stations must be worked on one or other of the following systems, namely:—

Systems of working.

- (a) Absolute Block;
- (b) Section Clear;
- (c) Line Clear and Caution Message;
- (d) Train-staff and Ticket;
- (e) Pilot Guard; or
- (f) One engine only,

at the discretion of the Engineer-in-Chief, subject to the proviso that [the Absolute Block system is to be used whenever practicable. When circumstances demand it, one of the other systems may be used or when circumstances are exceptional,] ordinary working may be temporarily suspended, under special instructions, on any section or sections and the trains thereon be worked under such special regulations for their safe conduct, as the officer suspending the ordinary working may direct.

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CHAPTER V.

THE ABSOLUTE BLOCK SYSTEM.

74. (1) Where trains are worked on the Absolute Block system,—
- (a) no train shall be allowed to leave a station unless permission to approach has been received from the station ahead, and

Essentials of the Absolute Block system.

<sup>1</sup> Substituted for the words "in exceptional circumstances" by Notification No. 169, dated 26th June, 1914, see Gazette of India, 1914, Pt. I, pp. 1180-81.

<sup>2</sup> Omitted by *ibid.*

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX of 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

- (b) such permission shall not be given unless the line is clear, not only up to the first Stop signal at the station at which such permission is given, but also for an adequate distance beyond it.

(2) The distance referred to in clause (1) (b) shall not be less than one quarter of a mile, unless otherwise directed by special instructions.

CLASS B STATIONS.—SINGLE LINES.

Conditions under which permission to approach may be given.

75. The line shall not be considered clear, and permission to approach shall not be given, unless—

- (a) the whole of the last preceding train has passed within the first Stop signal, and
- (b) this signal has been put "on" behind the said train, and
- (c) the line is clear for an adequate distance beyond the first Stop signal.

Obstruction outside station section.

76. After permission to approach has been given to a train no shunting or obstructing of the line shall be allowed within a quarter of a mile of the first Stop signal referring to that train, unless—

- (a) that train has arrived at the first Stop signal, and the Station Master has personally satisfied himself that the train has been brought to a dead stand at that signal, and
- (b) the first Stop signal is kept at danger, and
- (c) a railway servant specially appointed in this behalf by the Station Master is in charge of the operation:

Provided that the line may not be obstructed under clause (a), (b) or (c) in thick or foggy weather, or in any case unless authorised by special instructions.

Obstruction outside the outermost Stop signal.

77. The obstructing of the line outside the outermost Stop signal is prohibited unless the line has been blocked back.

CHAPTER VI.

THE SECTION CLEAR SYSTEM.

Essentials and in application of the Section Clear system.

78. (1) Where trains are worked on the Section Clear system—

- (a) no train shall be allowed to leave a station unless permission to approach has been received from the station ahead, and



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**General Rules for working Railways under Construction and not open to traffic—*contd.***

- (b) such permission shall not be given unless the line is clear up to the first Stop signal of that station.
- (2) The said system is applicable only to Class B stations where Outers are provided, and to single lines only.

**CLASS B STATIONS.—SINGLE LINES.**

79. The line shall not be considered clear, and permission to approach shall not be given unless—

- (a) the whole of the last preceding train has either passed inside the facing points or arrived at the place at which trains usually come to a stand,
- (b) all fixed signals have been put back to "on" behind the said train, and
- (c) the line is clear up to the Outer signal.

Conditions under which permission to approach may be given.

80. (1) Shunting shall not be carried on between the Outer signals, unless—

Obstruction between the Outer signals.

- (a) the said signals are kept "on," and
- (b) after permission to approach has been given for a train, the line between the facing points and the Outer signal, in the direction from which the train will approach, is cleared not less than fifteen minutes before the expected arrival of the train, and is kept clear until the train has arrived or until it has been brought to a stand at the Outer signal, or
- (c) a rule is enforced that every construction train working shall stop dead at the Outer signal.

(2) Subject to the provisions of clauses (b) and (c) of sub-rule (1), obstructing the line between the facing points and the Outer signal in face of an approaching train, after intimation has been received that such train has entered the block-section, is prohibited, unless—

- (i) the weather is clear;
- (ii) the Station Master has personally satisfied himself that the Outer signal is clearly showing "danger" in the direction of the approaching train; and
- (iii) if the train has arrived at the Outer signal the Station Master has personally satisfied himself that the train has been brought to a dead stand at that signal.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

Obstruction  
outside the  
Outer signal.

81. Obstructing the line outside the Outer signal is prohibited unless the line has been blocked back.

CHAPTER VII.

THE LINE CLEAR AND CAUTION MESSAGE SYSTEM.

Essentials  
of the Line  
Clear and  
Caution  
Message  
system.

82. Where trains are worked on the Line Clear and Caution Message system, no train shall be allowed to leave a station, unless—

- (a) permission to approach has been obtained by telegram from the station ahead, and
- (b) the Engine Driver has been given a written authority to proceed, certifying that the line on which he has to travel is either—
  - (i) absolutely clear of trains; or
  - (ii) occupied only by trains running in the same direction at time intervals.

Conditions  
under which  
permission  
to approach  
may be given.

83. Such permission to approach shall not be given, unless either—

- (1) the line on which the train is to travel is absolutely clear of trains and all other known obstructions up to the Outer signal, and the whole of the last preceding train has passed inside the facing points or has arrived at the place at which trains usually come to a stand, or
- (2) the line, outside the facing points, on which the train is to travel is occupied only by a train running in advance in the same direction, at an adequate interval of time and a line has been prepared in the station for the reception of the train running in advance.

Nature of the  
authority to  
proceed.

84. (1) In case (1) of rule 83 the authority to proceed referred to in rule 82 shall be a Line Clear certificate stating that the line is clear.

(2) In case (2) of rule 83 the said authority to proceed shall be a Caution Certificate stating—

- (a) that the line is occupied only by a train running in advance in the same direction at a stated interval of time; and
- (b) the time of the departure of the said train and the place at which it will next stop.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

85. An authority to proceed shall not be granted at any station in case (2) of rule 83—

Restrictions on grant of authority to proceed.

- (a) if the train which is to follow a train running in advance is to be allowed to run at more than thirty miles an hour, or
- (b) if the distance to the station ahead is less than five miles, or
- (c) except in accordance with special instructions, unless the train running in advance has left the station at least fifteen minutes previously, or at such greater interval as may enable the said train at its booked speed to reach the next station at least fifteen minutes before the following train at its booked speed can do so.

86. (1) Every authority to proceed, as defined in rule 84, shall be delivered by the Station Master, or by some railway servant appointed in this behalf under special instructions,—

Delivery of authority to proceed to Engine Driver or Guard.

- (a) to the Engine Driver, if the train runs through the station without stopping, or
- (b) to the Guard in charge of the train if the train stops at the station.

(2) When the authority to proceed is delivered to the Engine Driver under clause (1) (a) of this rule, a duplicate shall be given to the said Guard.

(3) When an authority to proceed is delivered to the said Guard under clause (1) of this rule, it must be either—

- (i) handed personally by the Guard to the Engine Driver, or
- (ii) countersigned by the Guard, and then handed to the Engine Driver either by the Station Master or by some railway servant appointed in this behalf by special instructions.

(4) An authority to proceed shall not be handed to the Engine Driver under sub-rule (3)—

- (i) until the train is nearly ready to start, or
- (ii) if the train is waiting to pass another train—until the whole of the latter train has come in and is clear of the running road for the former train.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

Responsibilities as to proper preparation of authority to proceed

87. (1) When an authority to proceed is delivered to the Engine Driver under clause (1) (a) of rule 86, the Station Master must see—

- (a) that it is properly filled up,
- (b) that the date and time of the receipt of the line clear or caution telegram upon which it is based are noted thereon,
- (c) that it applies to the particular train to which such telegram refers, and
- (d) that it is signed in full and in ink.

(2) When an authority to proceed is delivered to the Guard in charge of the train under clause (1) (b) of rule 86 he must, before it is handed to the Engine Driver, satisfy himself on the several points mentioned in sub-rule (1) of this rule.

(3) Whether the train stops or runs through a station, the Engine Driver must satisfy himself so far as he may be able to do so, on the several points mentioned in sub-rule (1) of this rule, and if he finds that any of them are not complied with, he must not proceed with his train until the mistake or the omission is rectified.

Obstruction in face of approaching train followed by another train.

88. Obstructing the line outside the facing points in face of an approaching train followed by another train for which a permission to approach has been given is prohibited.

Obstruction when approaching train is not followed by another train.

89. (1) At a station where an approaching train is not being followed by another train, shunting shall not be carried on between the Outer signals, unless—

- (a) the said signals are kept “on”; and
- (b) after permission to approach has been given for a train, the line between the facing points and the Outer signal, in the direction from which the train will approach, is cleared not less than fifteen minutes before the expected arrival of the train, and is kept clear until the train has arrived or until it has been brought to a stand at the Outer signal.

(2) Subject to the provisions of clause (b) of sub-rule (1), obstructing the line between the facing points and the Outer signal, in face of an approaching train after intimation has been received that such train has entered the block-section, is prohibited, unless—

- (i) the weather is clear;

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE INDIAN RAILWAYS ACT, 1890 (IX of 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

- (ii) the Station Master has personally satisfied himself that the Outer signal is clearly showing "danger" in the direction of the approaching train; and
- (iii) if the train has arrived at the Outer signal, the Station Master has personally satisfied himself that the train has been brought to a dead stand at that signal.

## CHAPTER VIII.

## THE TRAIN-STAFF AND TICKET SYSTEM.

90. Where trains are worked between two stations on the Train-staff and Ticket system—

- (a) a single Train-staff must be kept at one of such stations, and
- (b) no train shall be permitted to start from either of such stations to the other unless the said Train-staff is at the station from which the train starts and has either been handed to or shown to the Engine Driver by the Station Master when giving such permission.

91. Trains may be worked on the Train-staff and Ticket system only between such stations as have been declared by special instructions to be staff stations. <sup>1</sup>[At such stations shunting shall be carried out under cable. <sup>System where applicable.</sup>

92. Trains shall not be allowed to follow one another in the same direction between staff-stations, unless the Engine Driver has been properly warned of the time of departure of the preceding train and of the place at which it will next stop, and

- (i) it has been ascertained that the preceding train has arrived at the next station in advance, or
- (ii) an interval of ten minutes has elapsed since the departure of the preceding train.

93. No train shall be started from a station unless the Engine Driver has in his possession, to be carried with him on the journey, either the Train-staff or a Train-staff Ticket for the section of the line over which the train is about to travel. <sup>Engine Driver to have a staff or ticket.</sup>

<sup>1</sup> Inserted by Notification No. 169, dated 26th June, 1914, see Gazette of India, 1914, Pt. I, pp. 1180-81.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

Staff or  
ticket by  
whom to be  
delivered to  
Engine  
Driver.

94. The Train-staff or Train-staff Ticket shall be delivered to the Engine Driver by the Station Master or by some railway servant appointed in this behalf by special instructions.

Staff or  
ticket when  
to be  
delivered to  
Engine  
Driver.

95. (1) When no other train is intended to follow before the Train-staff will be required for a train running in the opposite direction, then, subject to the provisions of sub-rule (3), the Train-staff shall be delivered to the Engine Driver.

(2) When other trains are intended to follow before the Train-staff can be returned, then, subject to the provisions of sub-rule (3), Train-staff Ticket, indicating that the Train-staff is following, shall be delivered to the Driver of each train except the last; and the Train-staff shall be delivered to the Driver of the last train.

(3) When a train is assisted by a second engine in the rear, a Train-staff Ticket shall be delivered to the Driver of the front engine, and the Train-staff shall be delivered to the Driver of the rear engine:

Provided that, if both the engines attached to the train are to travel over the entire length of line to which the Train-staff applies, and the train is to be followed by other trains, a Train-staff Ticket shall be delivered to the Driver of each of the engines attached to the first-mentioned train.

(4) When a train is assisted by a second engine in the front, the Train-staff or a Train-staff Ticket, as the case may be, must be delivered to the Driver of the leading engine.

(5) When a construction train has to stop between stations, the Train-staff shall be delivered to the Engine Driver.

(6) The Train-staff or a Train-staff Ticket shall not be delivered to the Driver of any train until the train is ready to start.

(7) The Engine Driver shall not accept a Train-staff Ticket unless he sees the Train-staff at the same time in the possession of the person who delivers the ticket to him.

Staff to be  
kept on  
engine.

96. When the Train-staff is delivered to the Driver of a train, he shall place it in a conspicuous place provided for the purpose on the engine.

Trains not to  
be started  
until staff  
returned.

97. When the Train-staff has been taken away from a station by the Driver of a train, no other train shall be started from that station to follow the first-mentioned train until the staff has been returned to the station.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

98. (1) Upon the arrival of a train at the station to which the Train-staff or a Train-staff Ticket extends, the Engine Driver must immediately give the Staff or Ticket to the Station Master, or to some railway servant appointed by special instructions to receive it.

Staff or ticket to be given up, and ticket to be cancelled, on arrival of train.

(2) The person to whom any such ticket is so delivered must immediately cancel the same.

99. (1) If an engine which carries the Train-staff breaks down between two stations, the Fireman must take the Staff to the staff-station in the direction whence assistance can best be obtained, in order that the Staff may be available at the station for delivery to the Driver of the assisting engine.

Procedure when engine is disabled.

(2) If an engine which carries a Train-staff Ticket breaks down between two stations, assistance must ordinarily be obtained only from the station at which the Train-staff has been left. But if assistance can more readily be obtained from another station in the opposite direction, immediate steps must be taken to have the Staff transferred to the other end of the section.

(3) Whenever an engine has broken down between two stations, the Fireman must accompany the assisting engine to the spot.

100. Train-staff Tickets must be kept in a ticket-box provided for the purpose and fastened by an inside spring, the key to open the box being the Staff to which the tickets apply.

Tickets how kept.

101. The Train-staff, when at station, shall not be left in the box, but must be kept by the Station Master in safe custody.

Train-staff how kept.

102. (1) Each Train-staff must have shown upon it the name of the staff-station at each end of the portion of line to which it applies.

Distinguishing marks on staff tickets and boxes.

(2) The Train-staffs and Train-staff Tickets and boxes for the different portions of the line must be distinguished by different colours.

(3) "Up" and "Down" Train-staff Tickets must also have distinguishing marks.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

Form of  
ticket.

103. Every Train-staff Ticket shall be in the following form:—

Ticket No. _____	_____ Railway.
<b>TRAIN-STAFF TICKET.</b> <u>DOWN (or UP).</u>	
Train No. _____	_____ h. _____ m. from _____ to _____
<b>TO ENGINE DRIVER AND GUARD.</b> <i>You are authorised to proceed from</i>	
<i>to</i>	
<i>and the Train-staff will follow.</i>	
Train No. _____	_____ in front left _____ h. _____ m.
<i>Signed</i> _____ <i>Station Master at</i> <i>Date</i> _____	

(Back of ticket.)

The Engine Driver shall not accept this ticket unless he sees the Train-staff for the portion of line which he is about to enter.

This ticket is to be given up by the Engine Driver immediately on arrival to the Station Master or other person authorised to receive it, and such person must immediately cancel it.

Record of  
tickets  
issued.

104. The Station Master must keep a record in a book of each Train-staff Ticket issued, showing the number of each ticket and the particular train for which it was issued.

## CHAPTER IX.

### THE PILOT GUARD SYSTEM.

Essentials of  
the Pilot  
Guard  
system.

105. Where trains are worked on the Pilot Guard system,—

- (a) a railway servant (hereinafter called a Pilot Guard) must be specially deputed to pilot trains, and
- (b) no train shall be allowed to leave a station except under the personal authority of the Pilot Guard.



Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

106. Trains shall not be allowed to follow one another in the same direction between stations except under the conditions prescribed in rule 92. General conditions.

107. The Pilot Guard must be distinguished by a red dress or badge. Pilot Guard's dress or badge.

108. (1) No train shall be started from a station unless the Engine Driver sees that it is accompanied by, or that the authority to proceed is given personally by, the Pilot Guard wearing the dress or badge prescribed by rule 107. Pilot Guard to accompany train or give authority to proceed.

(2) The Pilot Guard must accompany every train:

Provided that, when it is necessary to start two or more trains from one end of the line before a train has to be started from the other end, the Pilot Guard shall accompany only the last of such trains, and shall personally give the authority to proceed for the preceding trains.

(3) When accompanying a train, the Pilot Guard must ride on the foot-plate of the engine.

109. (1) When the Pilot Guard does not accompany a train, he shall deliver to the Guard in charge (or, if there be no Guard in charge, to the Engine Driver) a Pilot Guard's ticket (on a printed form, where such are provided) properly filled up and signed, as the authority to proceed. Pilot Guard's tickets.

(2) Every such ticket shall apply only to the single journey to the station named on it.

(3) If the train is in charge of a Guard, he shall before the train is started, deliver the ticket to the Engine Driver.

(4) Immediately on the arrival of the train, the Engine Driver shall deliver the ticket to the Station Master, who shall at once cancel it.

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CHAPTER X.

THE ONE ENGINE ONLY SYSTEM.

110. Where trains are worked on the one engine only system, only one engine in steam, or two or more engines coupled together, shall be allowed at one and the same time on any length of line duly specified by special instructions of the Engineer-in-Chief. Essentials of the one engine only system.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

Procedure  
in case of  
accident.

111. (1) If a train becomes disabled and requires assistance, or if an accident occurs which renders it impossible for the engine (or, if two or more engines are coupled together, for either or both of such engines) to proceed, the Guard in charge of the train must instruct the Engine Driver to keep the engine stationary until his return, and must then proceed to the station from which assistance can best be obtained, and must inform the Station Master thereof of the circumstances.

(2) Such Station Master may then allow another engine to enter the line.

(3) Such other engine must be accompanied by the Guard in charge of the disabled train, who must explain to the Engine Driver where, and under what circumstances, the disabled train is situated.

(4) Such Guard shall be responsible for the safe and proper working of the line until each engine has left it and it is again clear.

(5) If there be no Guard in charge of the disabled train, the Fireman, or, if necessary, the Engine Driver, must perform the duties imposed by this rule on the Guard.

## CHAPTER XI.

### USE OF ELECTRICAL INSTRUMENTS ON SINGLE LINES.

#### *General Provisions.*

Application  
of Chapter.

112. This Chapter applies only to working on any of the following systems, namely:—

- (a) Absolute Block.
- (b) Section Clear.
- (c) Line Clear and Caution Message.

Means of  
working.

113. Trains may be worked by means of—

- (a) electric token instruments, of such construction that only one of the tokens applying to the same section can be in use at the same time,
- (b) electric block instruments, or
- (c) electric speaking instruments.

Provision of  
speaking  
instruments.

114. (1) The ordinary method of working shall be by electric speaking instruments, and these instruments must be provided at every station.

(2) An electric speaking instrument is one by which any message can be sent in words. The instrument to be used will usually be an ordinary telegraph instrument, but it may be of any type approved by the Engineer-in-Chief, or a telephone may be used at his discretion.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

115. As construction approaches completion electric token instruments or electric block instruments may replace the electric speaking instruments for the purpose of signalling trains. In such event the Engineer-in-Chief may apply such portion of the Open Line General Rules for working electric instruments as may in his opinion be applicable to the particular instruments that he is bringing into use. The responsibility of seeing that these rules are properly applied lies on the Engineer-in-Chief.

Provision of electric token or block instruments.

116. Every running train must, in its progress from station to station, be signalled on the speaking instruments unless or until electric token or electric block instruments are brought into use in accordance with rule 115.

Signalling of trains.

117. (1) All messages despatched in connection with the working of trains, and all written authorities to proceed, shall be written on forms specially provided for the purpose by the Railway Administration of the open line with which the construction line is connected or by the Engineer-in-Chief.

Forms for messages and authorities to proceed.

(2) Such forms shall be bound up in books and kept at each station by the Station Master or by some railway servant appointed in this behalf by special instructions.

118. (1) Every message despatched in connection with the working of a train must distinctly describe the train to which it relates.

Distinction of messages.

(2) For every train a separate inquiry and reply must be sent.

119. (1) All messages despatched in connection with the working of trains, and all written authorities to proceed, shall be written up in ink or with some other indelible substance, and shall be signed by the person authorised to despatch or issue the same.

Writing and signing of messages and authorities to proceed.

(2) No message or authority to proceed shall be written out either in full or in part, or signed until necessary.

120. No part of any message shall be despatched or acted upon until the whole message has been written out, except in view to the prevention of an accident or in some other case of emergency.

Completion of messages.

121. Messages and authorities to proceed shall be destroyed at such time after issue as may be prescribed by special instructions:

Preservation of messages and authorities to proceed.

Provided that no message or authority to proceed shall be destroyed in less than a fortnight after issue.

122. When a permission to approach has been cancelled, no train shall be allowed to leave in the opposite direction until a message has been received acknowledging such cancellation and stating that the train for which the permission to approach has been given is and will be detained.

Cancellation of permission to approach.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

Engine Driver to have authority to proceed.

123. The Engine Driver shall not take his train from a station unless he has in his possession, as his authority to proceed, a Line Clear ticket, duly signed by the Station Master.

Authority to proceed when to be delivered to Engine Driver.

124. An authority to proceed shall not be delivered to the Engine Driver until the procedure prescribed in the foregoing rules in this Chapter, so far as it is applicable, has been followed.

Train Register book.

125. (1) A train Register book shall be kept by the Station Master or under his orders.

(2) The person who keeps the said book shall enter therein, immediately after acknowledgment all signals received or sent on the instruments, and the times of receipt and despatch.

(3) The times entered in the book must be the actual times, except that any fraction of a minute must be counted as one minute.

(4) All entries in the book must be made in ink.

(5) No erasure shall be made in the book; but if any entry is found to be incorrect, a line must be drawn lightly through it, so that it may be read at any time, and the correct entry must be made above it.

(6) The person who keeps the book shall be responsible for all entries made therein and for correctly filling in each column thereof.

Line clear ticket.

126. (1) When the authority to proceed is a Line Clear ticket, it shall, except under special instructions, be in the following form:—

No. \_\_\_\_\_

A. B. Railway.

AUTHORITY TO PROCEED.

To the Engine Driver of \_\_\_\_\_ Train.

The line is clear.

You are authorized to leave.

C. \_\_\_\_\_ for \_\_\_\_\_ D. \_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_ Signed \_\_\_\_\_

S. M.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

(2) Each such ticket shall bear a serial number, which shall be recorded in the Train Register book, the numbers for the Down direction being clearly distinguished from those for the Up direction.

127. (1) Whenever, in consequence of the line being under repair, or for any other reason, special precautions are necessary, a Caution Order detailing the mileages between which such precautions are necessary, the reasons for taking such special precautions and the speed at which the train should travel shall, in addition to the Line Clear ticket mentioned in rule 123, be handed to the Engine Driver at the stopping station immediately short of the place where special precautions are needed or at such stations as may be prescribed by the authorised officer.

(2) Clause (1) of this rule does not apply in the case of long continued repairs, when fixed signals are provided at an adequate distance short of such place and have been notified by special instructions to the Running staff concerned.

128. The Station Master must see that the authority to proceed delivered to an Engine Driver is accurate, and that, when it is in writing, it is complete and signed in full and in ink.

Responsibility of Station Master as to authority to proceed.

129. If the train stops at the station, and is waiting to pass another train, the authority to proceed shall not be delivered to the Engine Driver until the whole of the latter train has come in and is clear of the running road for the former train.

Authority to proceed when to be delivered to Engine Driver stopping at stations.

130. An authority to proceed shall not be delivered to the Engine Driver except by the Station Master or by some railway servant appointed in this behalf by special instructions.

Who to deliver authority to proceed to the Engine Driver.

131. If two engines are coupled together, or if one engine is in front and another in rear of the train, the authority to proceed shall be delivered to the Driver of the leading engine.

Delivery of authority to proceed when there are two Engine Drivers.

132. (1) The Engine Driver must see that the authority to proceed is accurate, and applies to the section which he is about to enter, and if the said authority is a ticket, that it is complete and is signed in full and in ink.

Examination by Engine Driver of authority to proceed.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

(2) If the conditions mentioned in sub-rule (1) are not complied with, the Engine Driver shall not take his train past or from the station until the mistake or the omission is rectified.

## CHAPTER XII.

### RAILWAY SERVANTS GENERALLY.

133. The authorised officer shall supply to each Station Master, Guard, Engine Driver and Permanent-way Inspector a copy of the General Rules for working railways under construction, or a copy of such portions thereof as relate to his duties.

134. Every railway servant, whether supplied or not with a copy or translation of the rules relating to his duties, must make himself acquainted with such rules.

135. (1) No railway servant shall, without the permission of his superior officer, absent himself from duty, or alter his appointed hours of attendance, or exchange duty with any other railway servant.

(2) If any railway servant desires to absent himself from duty on the ground of illness, he must immediately report the matter to his superior officer, and shall not leave his duty until a competent person has been placed in charge thereof.

136. (1) Every railway servant shall be bound—

(a) promptly to report to his immediate superior any occurrence affecting the safe or proper working of the railway which may come to his notice, and

(b) to render on demand all possible assistance in case of an accident or obstruction.

(2) Every railway servant who observes—

(i) that any signal is defective, or

(ii) any obstruction, failure or threatened failure of any part of the way or works, or

(iii) anything wrong with a train, or

(iv) any unusual circumstance likely to interfere with the safe running of trains or the safety of the public,

must take immediate steps, such as the circumstances of the case may demand, to prevent accident; and, where necessary, must advise the nearest person in authority by the quickest possible means.

Supply of  
copies of  
rules.

Acquaintance  
with rules.

Absence from  
duty.

Duties for  
securing  
safety.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**General Rules for working Railways under Construction and not open to traffic—*contd.***

137. No railway servant shall interfere with any signal or its fittings or connections for the purpose of effecting repairs or for any other purpose, except with the previous consent of the Station Master or other railway servant in charge of the working of the signal. Consent required before interfering with signal.
138. Every railway servant employed on or connected with shunting operations of any nature or the movement of trains must— Knowledge and possession of hand signals.
- (a) have a correct knowledge of hand signals and
- (b) have the requisite hand signals with him while on duty.
139. Every railway servant in charge of signals must see that the greatest care is taken in the cleaning, trimming and lighting of signal lamps. Signal lamps.
140. No railway servant shall leave any vehicle in a siding outside station limits, unless the vehicle is clear of all running roads and, except under special instructions, unless the wheels thereof are properly secured. Leaving vehicles in sidings outside station limits.
141. No railway servant shall commence any loading, shunting or other operation by which any running road may be fouled or obstructed, without obtaining the previous sanction of the Station Master, or of some railway servant appointed in this behalf by special instructions, who must see that all necessary steps are taken for the protection of traffic while such operation is being carried on. Obstruction of line.
142. Every railway servant shall before leaving the service, give the Railway Administration the notice specified in his agreement (if any), or if no notice is so specified, then one month's notice in writing. Notice before leaving service.
143. When a railway servant leaves the service, he must deliver up to the Railway Administration, or to a person appointed by the Railway Administration in this behalf, any property in his custody which belongs to the Railway Administration. Surrender of railway property on leaving service.

**CHAPTER XIII.**

**STATION MASTERS.**

144. (1) The Station Master shall be responsible for the efficient discharge of the duties devolving upon the several members of the staff employed, either permanently or temporarily, under his orders, at the station or within station limits; and such staff shall be subject to his authority and directions in the working of the station. Responsibility of Station Master for working.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

(2) The Station Master shall also be responsible that the general working of the station is carried out in strict accordance with the rules for the time being in force.

145. The Station Master shall see that all signals, all points, all gates of level-crossings, and the whole working machinery of his station are in proper working order, and shall immediately report all defects therein to the proper authority.

146. The Station Master must take steps to ensure—

- (a) that the switches of all traps, slip-sidings and catch-sidings, when it is not necessary that they should be open, are set against the line which they are intended to protect;
- (b) that all points are correctly set in accordance with special instructions, for the passage of trains or vehicles, and that all facing points are either securely locked or the point-levers manned, for the passage of trains; and
- (c) that all signals at his station are correctly worked.

147. (1) Whenever any train is timed to run or is expected to run on any portion of the line at night, the Station Master must see that all the fixed signal lamps are lighted at sunset, or at such time as may be prescribed by special instructions.

(2) The Station Master must see that the fixed signal lamps, when lighted, are burning brightly, that the spectacle glasses are properly cleaned, and that the back lights are clearly visible.

(3) Whenever night signals have to be used in accordance with these rules, the Station Master shall not grant permission to approach unless the lamps of the fixed signals at his station which apply to the train are burning brightly.

(4) The Station Master must see that the fixed signal lamps are not put out until broad daylight, except in accordance with special instructions.

148. The Station Master must see that his station is adequately supplied with all necessary equipment for hand-signalling.

149. The Station Master of a station shall be responsible for the security and protection of the property of the Railway Administration at the station.

Responsibility for the whole working machinery.

Switches, points, facing points and signals.

Signal lamps.

Equipment of station for hand-signalling.

Responsibility of Station Master for property.



## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

150. The Station Master must see before he gives the Guard permission to start a train that all is right for the train to proceed. Responsibility of Station Master before giving permission to start train.
151. When a train is examined by a Carriage and Wagon Examiner at a station, the Station Master shall not give permission to start the train until he has received a report from such Examiner to the effect that the train is fit to proceed. Examination of trains before starting.
152. (1) The Station Master must see that every train passing through the station at night is provided with a tail-lamp on the last vehicle. Tail-lamps of passing trains.
- (2) If by night the tail-lamp be out or be missing, the Station Master must, if practicable, advise the station ahead to stop the train, to see that the defect is remedied, and to reply saying whether the train is complete or not.
153. The Station Master shall see that all orders and instructions are duly conveyed to the staff concerned and are properly carried out and that all books and returns are regularly written up and neatly kept. Obedience to orders, and keeping of books and returns.
154. The Station Master shall report, without delay, to his immediate superior, all neglect of duty on the part of any railway servant who is under his orders. Report of neglect of duty.
155. The Station Master must see that the shunting of trains or vehicles is carried on only at such times and in such manner as will not involve danger. Shunting.
156. The Station Master must see that vehicles standing at the station are properly secured in accordance with special instructions. Securing of vehicles at station.
157. If any vehicle escapes from a station, the Station Master must, if practicable, take immediate steps to warn the other stations concerned, and, as far as practicable, to prevent accident. Vehicles escaping from station.
158. (1) When a report of any accident or obstruction is received by the Station Master, he must see that all necessary precautions are taken by the most expeditious means possible, for the protection of traffic. Accident or obstruction.
- (2) If an accident happens to a train, the Station Master must arrange for all necessary assistance to be sent to the train.
- (3) The Station Master shall, as soon as practicable, report each accident in accordance with special instructions.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

CHAPTER XIV.

GUARDS.

Time of attendance of Guard at station.

Guard to be in charge of train.

Subordination of Guards in station limits, Guard's equipment.

159. Every Guard must be in attendance, at the station from which his train is to start, half an hour before the time appointed for the departure of the train, or at such earlier time as may be ordered by the authorised officer.

160. After an engine has been attached to a train, and during the journey, the Guard or (if there be more than one Guard) the head Guard shall be in charge of the train on all matters affecting the starting, stopping or movement of the train for traffic purposes.

161. When a train is within station limits, the Guard shall be under the orders of the Station Master.

162. (1) Every Guard must have with him, while on duty with his train,—

(a) a copy of the rules for the time being in force on the railway correct under section 47 of the Indian Railways Act, 1890, <sup>IX of 1890.</sup> or such portions of them as have been supplied to him under rule 133,

(b) a watch,

(c) a hand signal lamp,

(d) a whistle,

(e) a red flag and a green flag, and

(f) such other articles, including a sufficient supply of detonators, as may be prescribed by special instructions.

(2) If any Guard is not in possession of any article mentioned or referred to in sub-rule (1), he must report the fact to the Station Master of his head-quarters station whose duty it shall be to make good any deficiency.

163. The Guard in charge of a train shall not give the signal for starting the train from a station at which it has stopped until he has received permission from the Station Master.

164. Every Guard, before starting with his train, must examine the notices issued for his guidance, and ascertain therefrom whether there is anything requiring his special attention on the parts of the line over which he has to work.

Permission to start from station.

Guard to examine notices before starting.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**General Rules for working Railways under Construction and not open to traffic—*contd.***

165. The Guard when taking over charge of a train must satisfy himself, before the train is despatched,—

Duties of Guard before starting a train and during the journey.

- (a) that the train is properly coupled,
- (b) that the train is provided with the prescribed brake-power,
- (c) that the doors of all wagons are properly closed,
- (d) that the train carries all necessary brake-van lamps, and that such lamps are lighted and kept burning brightly when required,
- (e) generally, that as far as he can ascertain, the train is in a state of efficiency for travelling.

166. The Guard in charge of a train must exchange signals with the Engine Driver at such times and in such manner as may be prescribed by special instructions.

Exchange of signals between Guard and Engine Driver.

167. Every Guard must keep a good look-out while the train is in motion, and must satisfy himself from time to time that the tail-lamp is in position, that all brake-van lamps, if required, are burning brightly, that the train is complete in every respect and is proceeding in a safe and proper manner.

Guard to keep a good look-out.

168. (1) If any Guard sees reason to apprehend danger, or considers it necessary for any reason to stop the train, he must use his best endeavours to attract the attention of the Engine Driver.

Attracting attention of Engine Driver.

(2) In the absence of other means of communication with the engine, a Guard desiring to attract the Engine Driver's attention must apply his hand-brake sharply and must as suddenly release it.

(3) When the attention of the Engine Driver has been attracted, the necessary Danger signal must be shown.

(4) If the train is fitted with a continuous brake, the Guard may, in case of emergency, apply such brake to stop the train.

169. (1) When the Engine Driver sounds three or more short, sharp whistles, or the brake whistles, the Guards must immediately apply their hand-brakes.

Application of guards' brakes.

(2) When a train is travelling down a steep incline, the Guards must, if necessary to steady the train, assist the Engine Driver with their brakes.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

Guards to see that train is stopped clear of fouling points.

Detaching engine.

170. When a train comes to a stand at a station the Guard must see that whenever possible the last vehicle of his train has cleared the fouling points of all points and crossings.

171. Whenever a train has been brought to a stand, and it is necessary for the engine, with or without vehicles, to be detached from the rest of the train, the Guard in charge of the train must, before the train is uncoupled, satisfy himself that the van-brakes have been put on securely, and take such other measures as may be prescribed by special instructions.

Loads on open trucks.

172. The Guard in charge of a train must, unless this duty is, by special instructions, imposed on some other railway servant, carefully examine the load of any open truck which may be attached to the train, and, if any such load has shifted or requires adjustment, must have the load made secure or the truck removed from the train.

Coolies on ballast train.

173. Guards in charge of trains with coolies must, before giving the signal to start, see that all the coolies are on the train, and must warn them to sit down.

Guard not to leave train till handed over.

174. No Guard in charge of a train shall leave it until it has been properly handed over in accordance with special instructions.

CHAPTER XV.

ENGINE DRIVERS AND FIREMEN.

*Engine Driver and Fireman.*

Engine Driver and Fireman when to attend.

175. The Engine Driver and Fireman must be with their engine at such time previous to the starting of the train as may be ordered by the authorised officer.

Manning of engine in motion.

176. Except when otherwise provided by special instructions, no engine shall be allowed to be in motion on any running road unless both the Engine Driver and the Fireman are upon it.

Riding on engine or tender.

177. Except in accordance with special instructions, no person other than the Engine Driver and the Fireman shall ride on the engine or tender.

Fireman to obey Engine Driver.

178. The Fireman must obey the orders of the Engine Driver in all particulars.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**General Rules for working Railways under Construction and not open to traffic—*contd.***

179. Every Engine Driver must keep a good look-out while the train is in motion, and every Fireman must also do so when he is not necessarily otherwise engaged. Engine Driver and Fireman to keep a good look-out.
180. The Engine Driver and the Fireman must frequently during the journey look back to see whether the train is following in a safe and proper manner. Engine Driver and Fireman to look back.
181. An Engine Driver or Fireman shall not throw out water, fire or cinders when passing through a station yard or tunnel, or when on a bridge. Throwing out water, Fire or cinders.

*Engine Driver.*

182. Every Engine Driver must have with him, while on duty with his train,— Engine Driver's equipment.
- (a) a copy of the rules for the time being in force on the railway concerned under section 47 of the <sup>1</sup>Indian Railways Act, 1890, or of such portions of them as have been supplied to him under rule 133;
- (b) the equipment and stores prescribed by special instructions.
183. The Engine Driver must, before starting, satisfy himself that his engine is in proper working order. Engine Driver to examine engine before starting.
184. The Engine Driver must, before starting, see that the proper Engine Lamps and Discs (if provided) are shown, and must see that the lamps are kept burning brightly at night and in thick or foggy weather. Duties of Engine Driver as regards Engine Lamps and Discs.
185. The Engine Driver must, before starting, set his watch to the correct time, as given to him by the Guard in charge of the train. Setting watch.
186. Every Engine Driver must, before starting, examine the notices issued for his guidance, and ascertain therefrom whether there is anything requiring his special attention on the parts of the line over which he has to work. Engine Driver to examine notice before starting.
187. If an Engine Driver is not acquainted with any portion of the line over which he has to work, he must obtain the services of a qualified railway servant who is acquainted with it, to assist him. Duty of Engine Driver un-acquainted with line.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX of 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

Permission and signals before entering on or crossing running road.

188. No Engine Driver shall take his engine on or across any running road until he has obtained the permission of the Station Master, and has satisfied himself that the correct signals have been shown.

Engine Driver not to start without Guard's signal.

189. The Engine Driver shall not start from a station an engine with vehicles attached until the Guard in charge of the train has given the signal to start.

Moving of train after it has been stopped at station.

190. When a train has been brought to a stand at a station, whether alongside, beyond or short of the platform the Engine Driver shall not move it, except under orders of the Guard in charge of the train or to avert an accident.

Engine Driver to satisfy himself that correct signals are shown and line is clear.

191. The Engine Driver must, before starting his train, satisfy himself that the correct signals are shown and that the line before him is clear.

Sounding the engine-whistle.

192. Except under special instructions the Engine Driver must always sound the engine-whistle—

- (a) before putting an engine in motion;
- (b) when entering a tunnel; and
- (c) at such other times as may be prescribed.

Engine Driver to obey certain orders.

193. After an engine has been attached to a train, and during the journey, the Engine Driver must obey—

- (a) the orders of the Guard in charge of the train, in all matters affecting the starting, stopping or movement of the train for traffic purposes; and
- (b) all orders given to him by the Station Master or any railway servant acting under special instructions, so far as the safe and proper working of his engine will admit.

Regulation of speed.

194. The Engine Driver must regulate and control the running of his train as accurately as possible, so as to avoid either excessive speed or loss of time.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**General Rules for working Railways under Construction and not open to traffic—*contd.***

195. The Engine Driver must start and stop his train carefully and without jerk. Starting and stopping train.
196. The Engine Driver must exchange signals with the Guard in charge of the train, at such times and in such manner as may be prescribed by special instructions. Exchange of signals between Engine Driver and Guard.
197. When the Engine Driver requires the assistance of the Guard's brake, he must give three or more short, sharp whistles, or, if a brake-whistle is provided, sound such whistle, and must in either case apply the communication, if any. Assistance from Guard's brake.
198. When a train comes to a stand at a station, the Engine Driver must see that whenever possible his engine is clear of the fouling points of all points and crossing. Engine Driver to see that train is stopped clear of fouling points.
199. In stopping a train, the Engine Driver must determine where to shut off steam by paying particular attention to the gradient, the state of the weather, the condition of the rails, and the length and weight of the train. Shutting off steam.
200. When a train not fitted with the continuous brake has been brought to a stand outside station limits or on a grade, the Engine Driver shall not detach his engine from the train without the permission of the Guard in charge of the train. Permission of Guard to detaching of engine from train.
201. After taking water from a tank or water column, the Engine Driver must see that the hose or water-crane is left clear of the line and, when it is provided with fastening, properly secured. Hose or water-crane.
202. No Engine Driver shall leave his engine when on duty, whether at a station or on the running road, except in case of absolute necessity and after a competent man has been placed in charge of it. Engine Driver not to leave engine when on duty.

*Attention to Signals.*

203. (1) The Engine Driver must pay immediate attention to and obey every signal, whether the cause of the signal being shown is known to him or not. Engine Driver to obey signals, and to be vigilant and cautious.
- (2) He shall not, however, trust entirely to signals, but must always be vigilant and cautious.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

Duties of  
Engine  
Drivers as  
to signals  
when two  
or more  
engines are  
attached to  
train.

204. When two or more engines are attached to a train, the Driver of the leading engine shall be responsible for observing signals, and the Driver of the other engine or engines shall watch for and take signals from the Driver of the leading engine.

Duties of  
Engine  
Driver when  
Stop signal  
is "on" or  
defective.

205. The Driver of a running train shall not pass a Stop signal that refers to him when it is "on" or defective,—

- (a) unless he has received notice in writing specifying that the signal is out of order, and unless he is also signalled past by a man standing at the signal; or
- (b) unless, after coming to a stand, he either is given written permission to proceed from the Station Master or from the railway servant in charge of the signal or is piloted past the defective signal by a railway servant authorised in this behalf who shall travel on the engine.

EXPLANATION.—If an Engine Driver has not received a notice in writing that a Stop signal is defective, he must stop, and shall pay no heed to any other signal (whether a hand signal or not) that may be shown, until he is allowed to proceed under one of the authorities mentioned above.

Duties of  
Engine  
Driver when  
the All right  
or Proceed  
with Caution  
signal is  
shown.

206. (1) When the All right signal is shown to a train, the Engine Driver may proceed at such speed as may be prescribed by special instructions.

(2) When the Proceed with Caution signal is shown to a train by gangers or other workmen employed on the permanent-way, the speed of the train over the portion of the running road protected by such signal shall not exceed fifteen miles an hour, or such lower rate as may be prescribed in this behalf by special instructions.

(3) When the Proceed with Caution signal is shown to a train by any railway servant not referred to in sub-rule (2), the Engine Driver must reduce speed.

Duties of  
Engine  
Driver when  
engine  
Explodes  
detonator.

207. (1) When an engine explodes a detonator, the Engine Driver must immediately reduce speed and be guided by the signals that he may receive.

(2) If no hand or other signals are at once visible to the Engine Driver, he must immediately bring his train to a stand, and may then—

- (a) if it is day, and he has a clear view of the road—proceed very cautiously at such reduced speed as will enable him to stop short of any Danger signal or obstruction; or



## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

- (b) if it is day, and he has not a clear view of the road, or if it is night, or if the weather is thick or foggy—proceed very cautiously on hand signals given by the Guard in charge of the train (or the Fireman, if there is no Guard), who must walk ahead of the engine for this purpose; and
- (c) if, within a distance of one mile from the point where explosion occurred, he meets no further detonators and sees no signals—resume ordinary speed.

208. If there is no fixed signal at a place where a fixed signal is ordinarily shown or if a fixed signal is imperfectly shown, the Engine Driver must act as if a Danger signal were shown. Non-showing or imperfect showing of fixed signal.

209. If, in consequence of a fog or storm or for any other reason, the view of signals is obstructed, the Engine Driver must take every possible precaution, especially when approaching a station or junction so as to have the train well under control. Precautions when view of signal is obstructed.

## CHAPTER XVI.

### POINTSMEN AND SIGNALMEN.

210. Every Pointsman must keep the points under his charge clean and clear of stones or other obstacles. Points to be kept clean and clear.

211. Whenever points, crossings or guard-rails are damaged, the pointsman in charge must protect them and immediately arrange to report the circumstances to the Station Master. Report when points, etc., are damaged.

212. A Pointsman or Signaller shall not, while on duty, leave the points or signals which are under his charge. Not to leave their posts while on duty.

## CHAPTER XVII.

### RAILWAY SERVANTS EMPLOYED ON THE PERMANENT-WAY OR WORKS.

213. Each Inspector of Permanent-way shall be responsible for the condition of the permanent-way and works in his charge. Condition of permanent-way and works.

214. Each Inspector of Permanent-way must—

- (a) see that his length of line is efficiently maintained, and

Maintenance of line.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

- (b) promptly report to the Engineer in charge all accidents to or defects in the way or works which he may consider likely to interfere with the safe running of trains.

Keeping  
of permanent-  
way material.

215. Each Inspector of Permanent-way must see to the security of all rails, chairs, sleepers and other permanent-way material in his district, and that such of the said articles as are not actually in use are kept clear of the line and properly stacked.

Inspection of  
permanent-  
way and  
works.

216. (1) Every portion of the permanent-way must be inspected in accordance with special instructions.

(2) All bridges and works in charge of the Engineering Department, including signals, signal wires, points, and crossings, must regularly be inspected in accordance with special instructions.

Supply of  
documents to  
Inspector and  
Sub-Inspector  
of permanent-  
way.

217. Each Inspector and Sub-Inspector of Permanent-way shall be supplied with, and be responsible for obtaining, a copy of the schedule of Standard Dimensions for the time being in force under the orders of the Railway Board.

Ganger in  
each gang.

218. Each Inspector of Permanent-way must see that in every gang employed in his length of line there is a competent Ganger.

Knowledge  
of signals and  
equipment of  
gang.

219. Each Inspector of Permanent-way must see—

- (a) that every Ganger employed under him has a correct knowledge of hand signals and detonating signals; and
- (b) that every gang employed in his length of line is supplied with a permanent-way gauge, two sets of flag signals, two hand signal lamps, and twelve detonators, in addition to such other tools or implements as may be prescribed by special instructions.

Inspection of  
gauges,  
signals, tools  
and imple-  
ments.

220. (1) Each Inspector of Permanent-way must at least once in every month inspect the permanent-way gauges, flags, signal lamps, detonators, tools and implements supplied to the gangs under rule 219, clause (b), and ascertain whether the said gauges are correct, whether the said flags, signal lamps, detonators, tools and implements are in good order, and whether any of the said articles have been lost.

(2) He shall also see that any defective or missing articles are replaced.

Responsi-  
bility of  
Ganger as to  
signals and  
safety of  
line.

221. Each Ganger must see—

- (a) that the signals supplied to him under rule 219, clause (b), are kept constantly in proper order and ready for use;

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

General Rules for working Railways under Construction and not open to traffic—*contd.*

- (b) that the men in his gang each have a correct knowledge of hand signals and detonating signals; and
- (c) that his length of line is kept safe for the passage of trains.

222. Each Ganger must endeavour to prevent any trespassing by persons or cattle on his length of line or within the fences thereof. Trespassing.

223. If a fire occur on any railway premises at or near any portion of the railway where gang men are employed, they must endeavour to extinguish it to prevent it from spreading. Fire.

224. A gang shall not commence or carry on any work which will involve danger to trains or to traffic without the previous sanction of the Inspector of Permanent-way, or of some competent railway servant appointed in this behalf by special instructions; and the railway servant who gives such sanction must himself be present to superintend such work, and shall see that the provisions of rules 228, 230 and 231 are observed: Work involving danger to trains or traffic.

Provided that, in cases of emergency, when it may be necessary for safety to commence any such work before the said railway servant can arrive, the Ganger may commence work at once and must himself see that the provisions of rule 231 are observed.

225. In thick or foggy weather no rail shall be displaced, and no other work which is likely to cause obstruction to the passage of trains shall be performed, except in cases of absolute necessity. Work in thick or foggy weather.

226. No railway servant employed on the way or on any works shall carry on any blasting operations on or near the railway except as permitted by special instructions. Blasting.

227. Except in cases of emergency, no railway servant shall put in or remove any points or crossings otherwise than as permitted by special instructions. Putting in or removing points or crossings.

228. When repairing, lifting or lowering the line outside station limits, or when performing any other operation outside station limits which will make it necessary for a train to proceed cautiously, the Ganger must himself be present at the spot and shall be responsible that the caution signals prescribed in rule 231 are shown. Presence and responsibility of Ganger.

229. If a Ganger considers that the line is likely to be rendered unsafe, or that any train is likely to be endangered in consequence of any defect in the way or works or of abnormal rain or floods or any other occurrence, he must take immediate steps for securing the stability of the line and the safety of trains, by using the prescribed signals for trains Duties of Ganger when apprehending danger.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

to "Proceed with Caution" or to "Stop" as necessity may require; and shall as soon as possible report the circumstances to the nearest Station Master, the Inspector of Permanent-way and the Sub-Inspector (if any).

Precautions  
before com-  
mencing  
operation  
which would  
obstruct the  
line.

230. No person employed on the way or works shall commence any operation, such as changing or turning a rail, which would obstruct the line and necessitate the showing of Danger signals,—

(a) until such signals have been shown, and,

(b) if within station-limits, until he has also obtained the permission of the Station Master and all necessary signals have been placed "on."

Showing of  
signals.

231. (1) When "Proceed with Caution" hand signals have to be shown, a man shall be sent in each direction, at least a quarter of a mile and as much further as the circumstances of the case may render necessary, to show these signals in such a manner as to be plainly visible to the Driver of an approaching train.

(2) Another such signal shall also be shown at the spot where cautious driving is required, and a "Proceed" signal shall be shown to the Engine Driver as soon as the train has cleared the portion of the line over which cautious driving was necessary.

(3) When Danger signals have to be shown under this Chapter, they must be shown at an adequate distance (to be prescribed by special instructions) in both directions from the place of obstruction.

(4) Danger signals must also be shown near and short of the point of danger.

(5) Danger signals must be supplemented by detonators in the manner prescribed in rules 28 to 32.

Protection  
of trains.

232. Every railway servant employed on way or works, shall, on the requisition of the Guard in charge of a train or the Driver thereof, render assistance under rule 67 for the protection of the train.

#### *Lorries and Trolleys.*

Distinction  
between  
trolleys and  
lorries.

233. (1) For the purposes of the following rules in this Chapter, a vehicle which can be lifted bodily from the line by four men shall be deemed to be a trolley, and any similar but heavier vehicle shall be deemed to be a lorry.

(2) A trolley shall not, except in cases of emergency, be used for the carriage of permanent-way or other heavy material; and, when a trolley is so loaded, it shall be deemed, for the purposes of these rules, to be a lorry.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

234. (1) No lorry or trolley may be placed on the line except by a railway servant appointed in this behalf by special instructions. Railway servant to be in charge of lorry or trolley when on the line.
- (2) Such railway servant shall accompany the lorry or trolley, and shall be responsible for its proper protection and for its being used in accordance with special instructions.
235. No lorry or trolley shall be attached to a train. Attachment to train prohibited.
236. A lorry shall ordinarily be run only by day and when the weather is sufficiently clear for a signal to be distinctly seen from a distance of half a mile. Time of running.
237. Every lorry or trolley when on the line must show a red flag by day and a red light by night in both directions. Red flag or light to be shown.
238. The railway servant in charge of a trolley shall, before leaving a station, ascertain the whereabouts of all approaching trains, and shall, when a clear view for an adequate distance in both directions is not obtainable, take such precautions for the protection of his trolley as may be prescribed by special instructions. Protection of trolley on the line.
239. (1) Whenever it is proposed to place a lorry, whether loaded or empty, on the line, the line shall, if it is possible to do so without interference with the working of trains, be blocked under the rules for working trains. Protection of lorry on the line.
- (2) When the line has not been so blocked, and a lorry, whether loaded or empty, is placed on the line, the lorry must be protected by a man following and a man preceding the lorry at a distance of not less than half a mile and plainly showing a Danger hand signal; and the men so following or preceding the lorry—
- (i) must be furnished with detonators, and must place two on the line, ten yards apart, immediately the lorry comes to stand for the purpose of either unloading, or loading, and
  - (ii) must continue to show the Danger hand signal and keep the detonators on the line until a messenger arrives with an order from the Ganger or other person in charge of the operation to withdraw the signal, and
  - (iii) in any case, should any train be seen approaching, must immediately place the detonators on the line, unless they have received orders to withdraw the Danger signal.
240. A lorry or trolley, when not in use, must be placed clear of the line, and the wheels must be secured with a chain and padlock. Lorries and trollies out of use.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### General Rules for working Railways under Construction and not open to traffic—*contd.*

### CHAPTER XVIII.

#### GATEMEN.

Knowledge  
of signals.

241. No person shall be appointed to be a Gateman unless he has a knowledge of signals.

Supply and  
care of hand  
signals.

242. Every Gateman must—

- (a) be supplied with day and night hand signals, and
- (b) keep such signals in proper order and ready for use.

Road traffic.

243. (1) Where the gates at a level-crossing are not made to close across the line, the Gateman must, when such gates are opened for road traffic, be prepared to show a Danger signal to any approaching train.

(2) Where there is no Gateman specially on night duty at a level-crossing, the gates must be locked at night, except when opened for the passage of road traffic.

(3) When the gates are closed to the passage of road traffic, they must be kept securely fastened across the thoroughfare until the train has passed.

Channel for  
flange of  
wheels.

244. The Gateman on duty must see that the channel for the flange of the wheels is always clear before the passage of each train.

Report of  
defects.

245. If any gate, or the fastenings thereof, or any fixed signal pertaining to the gate, should get out of order, the Gateman must, as soon as possible, report the fact to his immediate superior or to the nearest Ganger.

Obstructions.

246. Every Gateman, on noticing any obstruction on the line, must at once remove it, or, if unable to do so, must show Danger signals and do his best to stop approaching trains.

Parting of a  
train.

247. If a Gateman notices that a train has parted, he shall not show a Danger signal to the Engine Driver, but must endeavour to attract the attention of the Engine Driver and Guard by shouting and gesticulating.

Trespassing.

248. Every Gateman must, as far as possible, prevent any trespassing by persons or cattle.

Transfer of  
charge of  
gate.

249. Except in accordance with special instructions, no Gateman shall leave his gate unless another Gateman has arrived to take charge of it.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX of 1890).

General Rules for working Railways under Construction and not open to traffic—*concl'd.*

CHAPTER XIX.

EXPLOSIVES AND COMBUSTIBLES.

250. All due precautions must be observed in the conveyance of explosives and combustibles. Special instructions with regard to this matter will be issued by the authorised officer. Conveyance of explosives.

[See Gazette of India, 1912, Supplement, p. 1277.]

Warehousing of Goods on Railways in British India.

No. 231, dated the 3rd July, 1902.—In exercise of the powers conferred by section 47, sub-section (3), of the <sup>1</sup>Indian Railways Act, 1890 (IX of 1890), <sup>2</sup>[as in force in British India or as locally applied], the Governor General in Council is pleased to sanction the following rules, made for, and to be applicable to, all railways in British India <sup>2</sup>[or in Native States] under sub-section (1), clause (f) of the said section, for regulating the terms and conditions on which railway administrations will warehouse or retain goods at any station or depôt on behalf of the consignee or owner, namely:—

I.—WHARFAGE.

ON GOODS FOR DESPATCH WAITING TO BE CONSIGNED.

1. For goods of every description brought on to railway premises for despatch but not consigned wharfage may be charged at a rate not exceeding one anna per maund or part of a maund per day or part of a day if consignment notes are not received before closing time of the day on which such goods are brought to the station.

2. Goods will, in all cases, be at owner's risk until taken over by the railway administration for despatch and a receipt in the prescribed form has been granted duly signed by an authorised railway servant.

ON GOODS AVAILABLE FOR DELIVERY.

3. (1) A wharfage charge may be levied in respect of all goods not removed from railway premises before closing time of the day following that on which they are made available for delivery.

<sup>1</sup> Genl. Acts, Vol. IV.

<sup>2</sup> Inserted by P. W. D. Notification No. 349, dated 7th October, 1902, see Gazette of India, 1902, Pt. I, p. 746.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Warehousing of Goods on Railways in British India—*contd.***

(2) The charge referred to in sub-rule (1) shall not exceed, per day or part of a day, one anna per maund or part of a maund, calculated—

(a) where freight is levied on weight, upon such weight; and

(b) where freight is levied on the vehicle in or on which the goods are carried, upon the carrying capacity of such vehicle.

(3) The goods shall be warehoused either under cover or in the open as space may be available.

**ON LUGGAGE AND PARCELS AVAILABLE FOR DELIVERY.**

4. For unclaimed booked luggage and parcels a wharfage charge not exceeding two annas per maund or part of a maund per 24 hours or part of 24 hours, with a minimum charge as for one maund, may be made if they are not removed from railway premises within 48 hours from mid-night of the day of arrival.

**NOTICE OF ARRIVAL.**

5. Subject to the provisions of section 56 of the <sup>1</sup>Indian Railways Act, 1890 (IX of 1890), notice of arrival will be sent when practicable, but the railway administration will accept no responsibility for non-receipt thereof.

**II.—DEMURRAGE.**

**ON VEHICLES ORDERED AND WAITING TO BE LOADED BY SENDERS.**

6. Demurrage at a rate not exceeding one anna per ton or part of a ton of carrying capacity per hour or part of an hour may be charged on all vehicles ordered and not loaded, or loaded and not made available for despatch, after the expiry of nine hours of daylight from the time at which they are placed in position for the purpose.

**ON LOADED VEHICLES WAITING TO BE DISCHARGED BY CONSIGNEES.**

7. Demurrage at a rate not exceeding one anna per ton or part of a ton of carrying capacity per hour or part of an hour may be charged on all loaded vehicles requiring to be discharged by owners which are not discharged after the expiry of nine hours of daylight from the time or

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<sup>1</sup> Genl. Acts, Vol. IV.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*****THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).****Warehousing of Goods on Railways in British India—*contd.***

being placed in position for unloading. The railway administration may, at its option, unload the vehicle and charge the consignee for doing so and charge wharfage on the contents under rule 3.

**III.—CALCULATION OF CHARGES.**

8. In calculating wharfage and demurrage charges fractions of one anna less than six pies shall be dropped and six pies and over shall be charged as one anna. Where the total amount of demurrage or wharfage due on any consignment is less than two annas, it shall be foregone.

**IV.—GENERAL.**

9. In the event of goods requiring to be loaded or unloaded by owners becoming liable to both demurrage and wharfage charges, the railway administration may levy both demurrage and wharfage charges for such periods as the goods would be liable to such charges under these rules.

10. If and for so long as the state of the traffic or any sudden emergency makes it necessary, and after advertisement in the local newspapers, the rate of demurrage or wharfage may be increased and the free time curtailed.

11. The railway administration shall have the same lien on goods for demurrage, wharfage, and, if incurred for unloading, as for freight; and these charges must, unless under special arrangements a running account is kept, be paid before the goods are removed.

12. Where the free time allowed in the previous rules includes either Sunday, Christmas Day or Good Friday, such days shall be allowed free in addition.

**V.—TREATMENT AND DISPOSAL OF UNCLAIMED GOODS, LUGGAGE AND PARCELS AND OF LOST PROPERTY FOUND IN RAILWAY VEHICLES OR IN RAILWAY PREMISES.**

13. Subject to the exception mentioned in rule 18 below, unclaimed goods shall be kept on hand at the station to which invoiced for a period of not less than one month during which time the notice prescribed in section 56, sub-section (1), of the Indian Railways Act, 1890 (IX of 1890), will, if possible, be served upon the person appearing entitled thereto.

14. If not taken delivery of within a period of not less than one month after receipt at the station to which invoiced, unclaimed goods may be

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Warehousing of Goods on Railways in British India—*contd.*

sent to the unclaimed goods or lost property office, and dealt with as laid down in rule 21 below.

15. Unclaimed articles shall be liable to the wharfage and demurrage charges hereinbefore referred to, as well as to all freight and special expenditure incurred by the railway administration on account of their custody and disposal.

16. After being on hand for one month unclaimed booked luggage and parcels may be transferred to the lost property office, and dealt with in the manner prescribed in rules 16, 17, 18, 21 and 22.

17. Where articles such as arms, ammunition, explosives, intoxicating liquors, opium and its preparations, and hemp drugs, the sale of which by unlicensed persons is prohibited by law, are left unclaimed in the possession of the railway administration, they will be made over to the police or excise authorities for disposal under the laws affecting the article. When not of a dangerous, perishable or offensive character, they will, however, be retained in the possession of the railway administration for the same period as that prescribed for other unclaimed articles.

This rule in so far as it relates to explosives is supplemental to, and not in modification of, rule 6 (iv) of the rules made under the Indian Explosives Act, 1884 (IV of 1884), and published under the Government of India, Home Department, Notification No. 5528,<sup>1</sup> dated the 11th October, 1901, in Part I of the Gazette of India of the 12th October, 1901 (*vide* Appendix B<sup>2</sup> to Part II of the General Rules for open lines of railway in British India promulgated with the Government of India, Public Works Department, Circular No. 6-Railway, dated the 12th March, 1895, as revised by the Government of India, Public Works Department, Circular No. 2-Railway, dated the 16th January, 1902), and any modifications of the same which may hereafter be made.

18. Unclaimed perishable articles may be disposed of by the Station Master of the station at which they may be left after the expiry of 24 hours or earlier if they are, or are likely to become, offensive.

19. Lost property found in railway vehicles or on railway premises may, subject to the exception mentioned in rule 18, be sent to the nearest lost property office and be similarly dealt with.

<sup>1</sup> See now the rules published with Notification No. 4013-33, dated the 6th June, 1914, in Vol. II, p. 326, which supersede the rules in Notification No. 5528, dated the 11th October, 1901.

<sup>2</sup> Appendix B here referred to is spent as Rule 26 of the General Rules for Open Lines of Railway, with reference to which it was inserted has been repealed by Resolution No. 1025-R. T., dated the 10th June, 1912, see Gazette of India, 1912, Pt. I, p. 676.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Warehousing of Goods on Railways in British India—*contd.*

20. An account of all unclaimed luggage, and of any lost property found on the line or on railway premises, shall be kept by the Station Master.

21. Public sales by auction shall be held from time to time of all unclaimed or lost property which has remained in the possession of the railway administration over six months. At least fifteen days' previous notice of each auction shall be given by advertisement in a newspaper.

22. Any surplus proceeds arising out of sales of lost property or unclaimed consignments will, after payment of all charges and expenses due to the railway administration, be paid to the person or persons there-to entitled.

VI.—CLOAK-ROOMS.

23. Passengers may leave small parcels or packages in the cloak-rooms at such stations as may be specified from time to time by the railway administration.

24. A charge of two annas per maund or part of a maund with a minimum charge per package as for one maund, may be levied for each 24 hours or part of 24 hours during which the parcel or package remains in a cloak-room.

25. The responsibility of the railway administration for articles left in a cloak-room shall be that of a bailee under sections 151, 152 and 161 of the Indian Contract Act, 1872 (IX of 1872).

26. A receipt ticket shall be given to any person depositing parcels and packages for custody in a cloak-room; and delivery will be made to any person presenting such receipt ticket, after which all responsibility of the railway administration in respect of such parcels or packages shall absolutely cease and determine.

27. Articles deposited in cloak-rooms which are unclaimed may, after a period of one month, be transferred to the lost property office, and dealt with as prescribed in rules 15, 17, 18, 21 and 22 for unclaimed consignments.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Investiture of Director of Railway Traffic with certain powers under the Indian Railways Act, 1890 (9 of 1890).

<sup>1</sup>No. 4, dated the 6th January, 1898.—The Governor General in Council is pleased to cancel Public Works Department Notification No. 267, dated the 11th June, 1890, and with reference to section 47 of the Indian Railways Act, 1890, to appoint the <sup>2</sup>Director of Railway Traffic and Deputy Secretary to the Government of India, Public Works Department, Railway Branch, as the officer who, in the case of a railway administered by the Government, is to make General Rules under that section.

[See Gazette of India, 1898, Pt. I, p. 38.]

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Risk Note Forms.

No. 118, dated 16th March, 1898.—The following is published for general information:—

Circular No. I Railway, dated the 9th March, 1898.

*Resolution.*—The Governor General in Council is pleased to approve under section 72 (2) (b) of the <sup>3</sup>Indian Railways Act, IX of 1890, of the use of the enclosed forms, with effect from the 1st July, 1898, by Railway Administrations working railways to which the Indian Railways Act, IX of 1890, applies.

2. In the case of railways to which Local Acts similar in scope to the Indian Railways Act, IX of 1890, are applicable, the Governor General in Council is also pleased to approve of the use of these forms from the 1st July, 1898, so far as his approval may be necessary under such Local Acts.

3. Until the 30th June, 1898, the forms at present in use shall remain in force:—

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<sup>1</sup> The Railway Board has now been invested with these powers, see Notification No. 802, dated the 24th March, 1905, *infra*, p. 1311, and this notification seems therefore now obsolete.

<sup>2</sup> There is now no Director of Railway Traffic, and the powers vested in that officer now vest in the Railway Board, see preceding footnote.

<sup>3</sup> See the reprint of Act IX of 1890, as modified up to 1st June, 1909.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.**

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Risk Note Forms—contd.**

**<sup>1</sup>[RISK NOTE FORM “A.”]**

[Approved by the Governor General in Council under section 72 (2) (b) of the Indian Railways Act, IX of 1890.]

(To be used when articles are tendered for carriage which are either already in bad condition or so defectively packed as to be liable to damage, leakage or wastage in transit.)

\_\_\_\_\_STATION.

\_\_\_\_\_192 .

Whereas the consignment of \_\_\_\_\_ tendered by  $\frac{me}{us}$  as per Forwarding Order No. \_\_\_\_\_ of this date, for despatch by the \_\_\_\_\_ Railway Administration to \_\_\_\_\_ station, and for which  $\frac{I}{we}$  have received Railway Receipt No. \_\_\_\_\_ of same date, is in bad condition  $\frac{and}{or}$  liable to damage, leakage or wastage in transit as follows:—

$\frac{I}{we}$  the undersigned, do hereby agree and undertake to hold the said Railway Administration over whose Railway the said goods may be carried in transit from \_\_\_\_\_ station to \_\_\_\_\_ station harmless and free from all responsibility for the condition in which the aforesaid goods may be delivered to the consignee at destination and for any loss arising from the same except upon proof that such loss arose from misconduct on the part of the Railway Administration's servants.

This agreement shall be deemed to be made separately with all Railway Administrations or transport agents or other persons who shall be carriers for any portion of the transit.

Signature of sender \_\_\_\_\_

WITNESS.

(Signature) \_\_\_\_\_

(Residence) \_\_\_\_\_

Rank or { Father's name \_\_\_\_\_  
Caste \_\_\_\_\_ Age \_\_\_\_\_

WITNESS.

(Signature) \_\_\_\_\_

(Residence) \_\_\_\_\_

(Profession) \_\_\_\_\_

(Residence) \_\_\_\_\_]

<sup>1</sup> Risk Note Form A was substituted by Resolution No. 488-T., dated the 10th July, 1924. see Gazette of India, 1924, Pt. I, p. 646.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Risk Note Forms—*contd.*

<sup>1</sup>[RISK NOTE FORM "B."]

[Approved by the Governor General in Council under section 72 (2) (b) of the Indian Railways Act, IX of 1890.]

(To be used when the sender elects to despatch at a "special reduced" or "owner's risk" rate, articles or animals for which an alternative "ordinary" or "risk acceptance" rate is quoted in the Tariff.)

\_\_\_\_\_STATION.

\_\_\_\_\_192 .

Whereas the consignment of \_\_\_\_\_ tendered by  $\frac{\text{no}}{\text{us}}$  as per Forwarding Order No. \_\_\_\_\_ of this date, for despatch by the \_\_\_\_\_ Railway Administration to \_\_\_\_\_ station, and for which  $\frac{\text{I}}{\text{vo}}$  have received Railway Receipt No. \_\_\_\_\_ of same date, is charged at a special reduced rate instead of at the ordinary tariff rate chargeable for such consignment,  $\frac{\text{I}}{\text{vo}}$ , the undersigned, do, in consideration of such lower charge, agree and undertake to hold the said Railway Administration harmless and free from all responsibility for any loss, destruction or deterioration of, or damage to, the said consignment from any cause whatever except upon proof that such loss, destruction, deterioration or damage arose from the misconduct of the Railway Administration's servants; provided that in the following cases:—

- (a) Non-delivery of the whole of the said consignment or of the whole of one or more packages forming part of the said consignment packed in accordance with the instructions laid down in the Tariff or, where there are no such instructions, protected otherwise than by paper or other packing readily removable by hand and fully addressed; where such non-delivery is not due to accidents to trains or to fire,
- (b) Pilferage from a package or packages forming part of the said consignment properly packed as in (a), when such pilferage is pointed out to the servants of the Railway Administration on or before delivery,

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<sup>1</sup> See footnote 1 on page 155, *supra*.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Risk Note Forms—*contd.***

the Railway Administration shall be bound to disclose to the consignor how the consignment was dealt with throughout the time it was in its possession or control and, if necessary, to give evidence thereof before the consignor is called upon to prove misconduct, but, if misconduct on the part of the Railway Administration or its servants cannot be fairly inferred from such evidence, the burden of proving such misconduct shall lie upon the consignor.

This agreement shall be deemed to be made separately with all Railway Administrations or transport agents or other persons who shall be carriers for any portion of the transit.

Signature of sender\_\_\_\_\_

WITNESS.

(Signature)\_\_\_\_\_

(Residence)\_\_\_\_\_

Rank or { Father's name\_\_\_\_\_

Caste\_\_\_\_\_Age\_\_\_\_\_

WITNESS.

(Signature)\_\_\_\_\_

(Profession)\_\_\_\_\_

(Residence)\_\_\_\_\_

(Residence)\_\_\_\_\_

(To be filled in by Booking Clerk.)

Description of packing\_\_\_\_\_

\_\_\_\_\_Booking Clerk.

Date\_\_\_\_\_]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Risk Note Forms—*contd.*

RAILWAY.

RISK NOTE FORM C.

[Approved by the Governor General in Council under section 72 (2) (b) of the Indian Railways Act, IX of 1890.]

(To be used when, at sender's request, open wagons, carts or boats are used for the conveyance of goods liable to damage when so carried, and which, under other circumstances, would be carried in covered wagons, carts or boats.)

STATION.

192

Whereas the consignment of \_\_\_\_\_  
 \_\_\_\_\_tendered by  $\frac{mo}{ns}$ , as per Forwarding  
 Order No. \_\_\_\_\_ of this date, for despatch by the \_\_\_\_\_  
 \_\_\_\_\_railway administration or their transport agents or carriers  
 to \_\_\_\_\_station, and for which  $\frac{I}{wo}$  have received Railway  
 Receipt No. \_\_\_\_\_ of same date, is at  $\frac{my}{our}$  request loaded in open  
 wagons, carts or boats, to be so carried to destination,  $\frac{I}{wo}$  the undersigned,  
 do hereby agree and undertake to hold the said railway administration  
 and all other railway administrations working in connection therewith,  
 and also all other transport agents or carriers employed by them respec-  
 tively, over whose railways or by or through whose transport agency or  
 agencies the said goods may be carried in transit from \_\_\_\_\_  
 \_\_\_\_\_station to \_\_\_\_\_  
 \_\_\_\_\_station harmless and free from all responsibility for any  
 destruction or deterioration of, or damage to, the said consignment which  
 may arise by reason of the consignment being conveyed in open wagons,  
 carts or boats during transit over the said railway or other railways  
 working in connection therewith, or during transit by any other trans-  
 port agency or agencies employed by them, respectively.

Signature of sender \_\_\_\_\_



Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Risk Note Forms—*contd.*

WITNESS.

(Signature)\_\_\_\_\_ Rank or { Father's name\_\_\_\_\_

(Residence)\_\_\_\_\_ { Caste\_\_\_\_\_ Age\_\_\_\_\_

WITNESS.

(Signature)\_\_\_\_\_ (Profession)\_\_\_\_\_

(Residence)\_\_\_\_\_ (Residence)\_\_\_\_\_

NOTE.—The above form is, for the convenience of the public, translated into the vernacular<sup>1</sup> on the reverse, but the form in English is the authoritative form, and the Railway Administration accepts no responsibility for the correctness of the vernacular translation.

\_\_\_\_\_  
RAILWAY.

<sup>2</sup>[RISK NOTE FORM "D."]

[Approved by the Governor General in Council under section 72 (2) (b) of the Indian Railways Act, IX of 1890.]

(To be used when the sender elects to despatch at a "special reduced" or "owner's risk" rate dangerous, explosive or combustible articles for which an alternative "ordinary" or "risk acceptance" rate is quoted in the Tariff.)

\_\_\_\_\_  
STATION.

\_\_\_\_\_  
192 .

Whereas the consignment of \_\_\_\_\_  
\_\_\_\_\_tendered by  $\frac{me}{us}$ , as per Forwarding  
Order No. \_\_\_\_\_ of this date, for despatch by the \_\_\_\_\_  
\_\_\_\_\_Railway Administration to \_\_\_\_\_station, and for which  
 $\frac{I}{we}$  have received Railway Receipt No. \_\_\_\_\_ of same date, is  
charged at a special reduced rate instead of at the ordinary tariff rate  
chargeable for such consignments,  $\frac{I}{we}$  the undersigned, do, in considera-  
tion of such lower charge, agree and undertake to hold the said Railway

<sup>1</sup> *Sic*, but no such translation was published in the Gazette.

<sup>2</sup> See footnote on page 155, *supra*.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAY ACT, 1890 (IX OF 1890).

Risk Note Forms—*contd.*

Administration harmless and free from all responsibility for any loss, destruction or deterioration of, or damage to, the said consignment from any cause whatever except upon proof that such loss, destruction, deterioration or damage arose from the misconduct of the Railway Administration's servants; provided that in the following cases:—

- (a) Non-delivery of the whole of the said consignment or of the whole of one or more packages forming part of the said consignment packed in accordance with the rules and regulations for the time being in force for the packing of dangerous, explosive or combustible articles, where such non-delivery is not due to accidents to trains or to fire,
- (b) Pilferage from a package or packages forming part of the said consignment properly packed as in (a), when such pilferage is pointed out to the servants of the Railway Administration on or before delivery,

the Railway Administration shall be bound to disclose to the consignor how the consignment was dealt with throughout the time it was in its possession or control and, if necessary, to give evidence thereof before the consignor is called upon to prove misconduct, but, if misconduct on the part of the Railway Administration or its servants cannot be fairly inferred from such evidence, the burden of proving such misconduct shall lie upon the consignor.

$\frac{I}{we}$  further agree to accept responsibility for any consequences to the property of the aforesaid Railway Administration, or to the property of other persons that may be in the course of conveyance, which may be caused by the explosion of, or otherwise by, the said consignment, and that all-risk and responsibility whether to the Railway Administration, to their servants or to others, remain solely and entirely with  $\frac{me}{us}$ .

This agreement shall be deemed to be made separately with all Railway Administrations or transport agents or other persons who shall be carriers for any portion of the transit.

Signature of sender\_\_\_\_\_

WITNESS.

(Signature)\_\_\_\_\_

(Residence)\_\_\_\_\_

Rank or { Father's name\_\_\_\_\_

Caste\_\_\_\_\_Age\_\_\_\_\_

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Risk Note Forms—*contd.*

WITNESS.

(Signature)\_\_\_\_\_

(Profession)\_\_\_\_\_

(Residence)\_\_\_\_\_

(Residence)\_\_\_\_\_

(To be filled up by Goods Clerk.)

Particulars of packing\_\_\_\_\_

\_\_\_\_\_Goods Clerk.

Date\_\_\_\_\_]

\_\_\_\_\_

\_\_\_\_\_RAILWAY.

RISK NOTE, FORM E.

[Approved by the Governor General in Council under section 72 (2) (b) of the Indian Railways Act, IX of 1890.]

\_\_\_\_\_

(To be used when booking elephants or horses of a declared value exceeding Rs. 500 a head; mules, camels or horned cattle Rs. 50 a head; donkeys, sheep, goats, dogs or other animals Rs. 10 a head, without payment of the percentage on value authorised in section 73 of Act, IX of 1890, as amended by section 4 of Act IX of 1890.

\_\_\_\_\_STATION.

\_\_\_\_\_192

Whereas  $\frac{I}{we}$  the undersigned, have tendered to the\_\_\_\_\_

\_\_\_\_\_Railway Administration for despatch

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Risk Note Forms—*contd.*

to \_\_\_\_\_ station the animal(s) mentioned below for which  $\frac{I}{we}$  have received Railway Ticket No. \_\_\_\_\_ of this date;

And whereas  $\frac{I}{we}$  have paid to the said \_\_\_\_\_ Railway Administration only their ordinary freight charge without any extra charge for insurance;

And whereas the said Railway Administration for such ordinary freight charged holds itself responsible for proved damages to (each of) the said animal(s) caused by neglect or misconduct of its servants to the extent of the value mentioned below;

And whereas the said Railway Administration has notified that it will not be liable for damage or loss arising from fright or restiveness or delay not caused by the negligence or misconduct of its servants, and such condition is accepted by  $\frac{me}{us}$ ;

$\frac{I}{we}$  the undersigned, do, in consideration of the foregoing terms and conditions, hereby agree and undertake that the responsibility of the said Railway Administration and all other Railway Administrations working in connection therewith, and also all other transport agents or carriers employed by them respectively, over whose railways or by or through whose transport agency or agencies the said animal(s) may be carried in transit from \_\_\_\_\_ station to \_\_\_\_\_ station, for the loss, destruction or deterioration of, or damage to (each of) the said animal(s) shall not exceed the value mentioned below:—

ANIMALS.			ANIMALS.		
No.	Description.	Value of each.	No.	Description.	Value of each.
		Rs.			Rs.
...	Elephants . . . .	5 0	..	Donkeys . . . .	10
...	Horses . . . .	500	...	Sheep . . . .	10
...	Mules . . . .	50	...	Goats . . . .	10
..	Camels . . . .	50	...	Dogs . . . .	10
..	Horned cattle . . .	50	...	Other animals . . .	10

Signature of sender \_\_\_\_\_

Part II.—General Rules and Orders made under General  
Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Risk Note Forms—*contd.*

WITNESS.

(Signature)\_\_\_\_\_ Rank or { Father's name\_\_\_\_\_

(Residence)\_\_\_\_\_ { Caste\_\_\_\_\_ Age\_\_\_\_\_

WITNESS.

(Signature)\_\_\_\_\_ (Profession)\_\_\_\_\_

(Residence)\_\_\_\_\_ (Residence)\_\_\_\_\_

NOTE.—The above form is, for the convenience of the public, translated into the vernacular<sup>1</sup> on the reverse, *but the form in English is the authoritative form*, and the Railway Administration accepts no responsibility for the correctness of the vernacular translation.

<sup>1</sup> *Sic*, but no such translation was published in the Gazette.

\_\_\_\_\_  
RAILWAY.

RISK NOTE, FORM F.

[Approved by the Governor General in Council under section 72 (2) (b)  
of the Indian Railways Act, IX of 1890.]

(To be used when booking horses, mules and ponies, tendered for despatch in cattle trucks or horse wagons instead of in horse boxes.)

\_\_\_\_\_  
STATION.

\_\_\_\_\_  
192

Whereas the consignment of \_\_\_\_\_  
\_\_\_\_\_tendered by <sup>me</sup><sub>us</sub>, as per Forwarding Order  
No. \_\_\_\_\_ of this date, for despatch by the \_\_\_\_\_  
Railway Administration to \_\_\_\_\_ station,

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX of 1890).

Risk Note Forms—*contd.*

and for which  $\frac{I}{we}$  have received Railway Receipt No. \_\_\_\_\_ of same date, is at  $\frac{my}{our}$  request and in consideration of the payment by  $\frac{me}{us}$  of cattle truck or horse wagon rate in lieu of horse box rate, loaded in cattle trucks or horse wagons instead of horse boxes to be so carried to destination;

And whereas the said Railway Administration has notified that it will not be liable for damage or loss arising from fright or restiveness or delay not caused by the negligence or misconduct of its servants and such condition is accepted by  $\frac{me}{us}$ .

$\frac{I}{we}$ , the undersigned, do hereby agree and undertake to hold the said Railway Administration and all other Railway Administrations working in connection therewith, over whose railways the said animal(s) may be carried in transit from \_\_\_\_\_ station to \_\_\_\_\_ station harmless and free from all responsibility in excess of Rs. 50 (per head) for any loss, destruction or deterioration of, or damage to, the said consignment during transit over the said railway or other railways working in connection therewith.

Signature of sender \_\_\_\_\_

WITNESS.

(Signature) \_\_\_\_\_

(Residence) \_\_\_\_\_

Rank or { Father's name \_\_\_\_\_  
Caste \_\_\_\_\_ Age \_\_\_\_\_

WITNESS.

(Signature) \_\_\_\_\_

(Profession) \_\_\_\_\_

(Residence) \_\_\_\_\_

(Residence) \_\_\_\_\_ ]

NOTE.—The above form is, for the convenience of the public, translated into the vernacular<sup>1</sup> on the reverse, but the form in English is the authoritative form, and the Railway Administration accepts no responsibility for the correctness of the vernacular translation.

<sup>1</sup> Sic, but no such translation was published in the Gazette.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Risk Note Forms—*contd.*

<sup>1</sup>[RISK NOTE FORM "G."]

[Approved by the Governor General in Council under section 72 (2) (b) of the Indian Railways Act, IX of 1890.]

(To be used as an alternative to Risk Note Form D, in the case of dangerous, explosive or combustible articles, for which an alternative "ordinary" or "risk acceptance" rate is quoted in the Tariff, when the sender desires to enter into a general agreement instead of executing a separate risk note for each consignment.)

\_\_\_\_\_STATION.

\_\_\_\_\_192 .

Whereas all consignments of \_\_\_\_\_

for which the Railway Administration quotes both owner's risk or special reduced rates and railway risk or ordinary rates are (unless  $\frac{I}{we}$  shall have entered into a special contract in relation to any particular consignment) despatched by,  $\frac{me}{us}$  at  $\frac{my}{our}$  own risk and are charged for by the said Railway Administration at special reduced or owner's risk rates, instead of at ordinary tariff or railway risk rates,  $\frac{I}{we}$  the undersigned, in consideration of such consignments being charged for at the special reduced or owner's risk rates, do hereby agree and undertake to hold the said Railway Administration harmless and free from all responsibility for any loss, destruction or deterioration of, or damage to, all or any of such consignments from any cause whatever except upon proof that such loss, destruction, deterioration or damage arose from the misconduct of the Railway Administration's servants; provided that in the following cases:—

- (a) Non-delivery of the whole of a consignment or of the whole of one or more packages forming part of a consignment packed in accordance with the rules and regulations for the time being in force for the packing of dangerous, explosive or combustible articles, where such non-delivery is not due to accidents to trains or to fire,
- (b) Pilferage from a package or packages forming part of a consignment properly packed as in (a), when such pilferage is pointed out to the servants of the Railway Administration on or before delivery,

<sup>1</sup> See footnote 1 on p. 153. *supra*.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Risk Note Forms—*contd.***

the Railway Administration shall be bound to disclose to the consignor how the consignment was dealt with throughout the time it was in its possession or control and, if necessary, to give evidence thereof before the consignor is called upon to prove misconduct, but, if misconduct on the part of the Railway Administration or its servants cannot be fairly inferred from such evidence, the burden of proving such misconduct shall lie upon the consignor.

$\frac{1}{we}$  further agree to accept responsibility for any consequences to the property of the aforesaid Railway Administration, or to the property of other persons that may be in the course of conveyance, which may be caused by the explosion of, or otherwise by, all or any of the said consignments, and that all risk and responsibility, whether to the Railway Administration, to their servants or to others, remain solely and entirely with  $\frac{me}{us}$ .

This agreement shall be deemed to be made separately with all Railway Administrations or transport agents or other persons who shall be carriers for any portion of the transit.

**WITNESS.**

(Signature)_____	Rank or {	Father's name_____
(Residence)_____		Caste_____Age_____

**WITNESS.**

(Signature)_____	(Profession)_____
(Residence)_____	(Residence)_____]

**[RISK NOTE FORM "H."]**

[ Approved by the Governor General in Council under section 72 (2) (b) of the Indian Railways Act, IX of 1890.]

(To be used as an alternative to Risk Note Form B, when the sender desires to enter into a general agreement instead of executing a separate Risk Note for each consignment.)

\_\_\_\_\_  
STATION.  
\_\_\_\_\_  
192 .

Whereas all consignments of articles or animals for which the \_\_\_\_\_ Railway Administration quotes both owner's risk or special re-

<sup>1</sup> See footnote 1 on page 155, *supra*.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Risk Note Forms—*contd.***

duced rates and railway risk or ordinary rates are (unless <sup>I</sup><sub>we</sub> shall have entered into a special contract in relation to any particular consignment) despatched by <sup>me</sup><sub>us</sub> at <sup>my</sup><sub>our</sub> own risk and are charged for by the \_\_\_\_\_ Railway Administration at special reduced or owner's risk rates instead of at ordinary tariff or railway risk rates, <sup>I</sup><sub>we</sub>, the undersigned, in consideration of such consignments being charged for at the special reduced or owner's risk rates, do hereby agree and undertake to hold the said Railway Administration harmless and free from all responsibility for any loss, destruction or deterioration of, or damage to, all or any of such consignments from any cause whatever, except upon proof that such loss, destruction, deterioration or damage arose from the misconduct of the Railway Administration's servants; provided that in the following cases:—

- (a) Non-delivery of the whole of a consignment or of the whole of one or more packages forming part of a consignment packed in accordance with the instructions laid down in the Tariff or, where there are no such instructions, protected otherwise than by paper or other packing readily removable by hand and fully addressed, where such non-delivery is not due to accidents to trains, or to fire,
- (b) Pilferage from a package or packages forming part of a consignment properly packed as in (a), when such pilferage is pointed out to the servants of the Railway Administration on or before delivery,

the Railway Administration shall be bound to disclose to the consignor how the consignment was dealt with throughout the time it was in its possession or control and, if necessary, to give evidence thereof before the consignor is called upon to prove misconduct, but, if misconduct on the part of the Railway Administration or its servants cannot be fairly inferred from such evidence, the burden of proving such misconduct shall lie upon the consignor.

This agreement shall be deemed to be made separately with all Railway Administrations or transport agents or other persons who shall be carriers for any portion of the transit.

Signature of sender\_\_\_\_\_

WITNESS.

(Signature)\_\_\_\_\_

(Residence)\_\_\_\_\_

Rank or { Father's name\_\_\_\_\_

Caste\_\_\_\_\_Age\_\_\_\_\_

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Risk Note Forms—*contd.*

WITNESS.

(Signature)----- (Profession)-----

(Residence)----- (Residence)-----]

-----RAILWAY.

RISK NOTE, FORM X.

[Approved by the Governor General in Council under section 72 (2) (b) of the Indian Railways Act, IX of 1890.]

(To be used when the sender elects to despatch an "excepted" article or articles specified in the second schedule to the Indian Railways Act, IX of 1890, whose value exceeds one hundred rupees without payment of the percentage on value authorised in section 75 of that Act.)

-----STATION.

-----19 .

Whereas the consignment of-----tendered by  $\frac{me}{us}$  as per Forwarding Order No.-----of this date, for despatch by the-----Railway Administration or their transport agents or carriers to-----station, and for which  $\frac{I}{we}$  have received Railway Receipt No.-----of same date, is charged at the ordinary rates for carriage, and whereas  $\frac{I}{we}$  have been required to pay, and elected not to pay a percentage on the value of the consignment by way of compensation for increased risk,  $\frac{I}{we}$ , the undersigned, do therefore agree and undertake to hold the said Railway Administration and all other Railway Administrations working in connection therewith and also all other transport agents or carriers employed by them respectively, over whose railways or by or through whose transport agency or agencies the said goods may be carried in transit from-----station to-----station harmless and free from all

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Risk Note Forms—*contd.***

responsibility for any loss, destruction or deterioration of, or damage to, the said consignment from any cause whatever before, during and after transit over the said railway, or other railway lines working in connection therewith or by any other transport agency or agencies employed by them; respectively for the carriage of the whole or any part of the said consignment.

Signature of sender\_\_\_\_\_

WITNESS.

(Signature)_____	Rank or {	Father's name_____
(Residence)_____		Caste_____Age_____

WITNESS.

(Signature)_____	(Profession)_____
(Residence)_____	(Residence)_____

NOTE.—The above form is, for the convenience of the public, translated into the vernacular<sup>1</sup> on the reverse, but the form in English is the authoritative form, and the Railway Administration accepts no responsibility for the correctness of the vernacular translation.

[See Gazette of India, 1898, Pt. I, p. 282.]

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*No. 115, dated the 21st March, 1900.*—The following is published for general information :—

*Resolution, dated the 12th March, 1900.*—The Governor General in Council is pleased to approve under section 72 (2) (b) of the Indian Railways Act, IX of 1890, of the use of the enclosed form, with effect from the 1st July, 1900, by railway administrations working railways to which the Indian Railways Act, IX of 1890, applies.

2. In the case of railways to which Local Acts similar in scope to the Indian Railways Act, IX of 1890, are applicable, the Governor General in Council is also pleased to approve of the use of the form from the 1st July, 1900, so far as his approval may be necessary under such local Acts.

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<sup>1</sup> *Sic*, but no such translation was published in the Gazette.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Risk Note Forms—*contd.*

\_\_\_\_\_  
RAILWAY.

RISK NOTE, FORM Y.

[Approved by the Governor General in Council under section 72 (2) (b) of the Indian Railways Act, IX of 1890.]

(To be used as an alternative to Risk Note, Form X, when the sender elects to enter into a general agreement for a term not exceeding six months for the despatch of "excepted" articles specified in the second schedule to the Indian Railways Act, IX of 1890, whose value exceeds one hundred rupees without payment of the percentage on value authorised in section 75 of that Act, instead of executing a separate Risk Note for each consignment.)

\_\_\_\_\_  
STATION.

\_\_\_\_\_  
192 .

Whereas consignments of \_\_\_\_\_

\_\_\_\_\_ tendered by  $\frac{me}{us}$ , for despatch by the \_\_\_\_\_ Railway Administration or their transport agents or carriers are charged at the ordinary rates for carriage, and whereas  $\frac{1}{wc}$  have been required to pay or engage to pay, and elected not to pay or engage to pay, a percentage on the value of the consignments by way of compensation for increased risk,  $\frac{I}{w}$ , the undersigned, do therefore agree and undertake, except in relation to any particular consignment for which  $\frac{I}{w}$  may have entered into a special contract, to hold the said Railway Administration and all the other Railway Administrations working in connection therewith, and also all other transport agents or carriers employed by them, respectively, over whose railways or by or through whose transport agency or agencies the said goods may be carried in transit, harmless and free from all responsibility for any loss, destruction or deterioration of, or damage to, the said consignments from any cause whatever before, during and after transit over the said railway, or other railway lines working in connection therewith or by any other transport agency or agencies employed by them, respectively, for the carriage of the whole or any part of the said consignments.

Signature of sender \_\_\_\_\_.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Risk Note Forms—*concl'd.*

WITNESS.

(Signature)_____	Rank or {	Father's name_____
(Residence)_____		Caste_____Age_____

WITNESS.

(Signature)_____	Profession_____
(Residence)_____	Residence_____

*N.B.*—When this Risk Note is used locally, the portions referring to foreign railways must be scored out.

[See Gazette of India, 1900, Pt. I, p. 197.]

Notices of accidents on railways.

*No. 120-T. (18), dated the 21st March, 1923.*—In exercise of the powers conferred by the notification of the Government of India in the Department of Commerce and Industry, No. 801, dated the 24th March, 1905, and in pursuance of section 84 of the Indian Railways Act, 1890 (IX of 1890), the Railway Board are pleased, in supersession of the rules published with their notification No. 120-T. (18), dated the 20th February, 1919, to make the following rules, namely:—

*Notices.*

1. The notices mentioned in section 83 of the Indian Railways Act, 1890, shall contain the following particulars, namely:—
  - mileage, or station or both, at which the accident occurred;
  - time and date of the accident;
  - number and description of the train or trains;
  - nature of the accident;
  - number of people killed or injured, as far as known;
  - cause of the accident, as far as known;
  - probable detention to traffic.

2. When any accident such as is described in section 83 of the Indian Railways Act, 1890, occurs in the course of working a railway, the Station-master nearest to the place at which the accident has occurred, or,

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Notices of accidents on railways—*contd.*

where there is no Station-master, the railway servant in charge of the section of the railway on which the accident has occurred <sup>1</sup>[ or such other Magistrate or Police Officer as may be appointed in this behalf by the Local Government,] shall give notice of the accident by telegraph to the District Magistrate and the District Superintendent of Police of the district in which the accident has occurred, to the Superintendent of Railway Police and to the officer-in-charge of the police-station within the local limits of which it has occurred.

*Explanation.*—For the purposes of this rule accidents of a description usually attended with loss of human life are meant to include all accidents to passenger trains such, for example, as slight collisions, derailments, cases of running over obstructions placed on the line, of passengers falling out of trains or of fires in trains, in which no loss of life, or grievous hurt as defined in the Indian Penal Code, or serious injury to property has actually occurred but which by the nature of the accident might reasonably have been expected to occur; also cases of landslides, or of breaches by rain or flood, which cause the interruption of any important through line of communication for at least 24 hours.

*Duties of railway servants.*

3. Every railway servant shall report, with as little delay as possible, every accident occurring in the course of working the railway on which he is employed which may come to his notice. Such reports shall be made to the nearest Station-master, or, where there is no Station-master, to the railway servant in charge of the section of the railway on which the accident has occurred.

4. The Station-master, or the railway servant in charge of the section, shall report the accident in accordance with the detailed rules laid down by the Railway concerned for the reporting of accidents.

*Duties of District Traffic Officers.*

5. Whenever a serious accident occurs, the District Traffic Superintendent concerned shall supply by telegraph to the press as soon after the accident as possible brief particulars, as far as these are available as prescribed in rule 1, supplementary telegrams, if necessary, being despatched immediately further information is available. A copy shall be sent simultaneously by "Express" telegram to the Railway Board and the Senior Government Inspector. In stating the cause of the accident the District Traffic Superintendent shall avoid making any statement the correctness of which may subsequently be questioned.

*Explanation.*—For the purposes of this rule every accident to a train (whether carrying passengers or not) which is attended with loss of human life or with grievous hurt as defined in the Indian Penal Code, or with serious injury to property, which is roughly estimated to cost, say, Rs. 10,000 or over, also every accident, such as a landslide, breach by rain or flood, derailment, etc., which causes the interruption of any important through line of communication for at least 24 hours, shall be deemed to be a serious accident.

<sup>1</sup> Inserted by Notification No. 537-T., dated 18th November 1925, see Gazette of India, 1925, Pt. I, p. 1104.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX of 1890).

Notices of accidents on railways—*contd.*

*Duties of the Government Inspector appointed under section 4, sub-section (1) of the Indian Railways Act, 1890 (IX of 1890).*

(IX of 1890.) 6. Whenever the Government Inspector receives notice under section 83 of the Indian Railways Act, 1890, of the occurrence of an accident which he considers of a sufficiently serious nature to justify such a course he shall as soon as may be notify the Railway Board and the Agent or Manager of the railway concerned of his intention to hold an enquiry and shall at the same time fix and communicate the date, time and place for the enquiry.

*Explanation (1).—*For the purpose of this rule every accident to a train carrying passengers which is attended with loss of human life, or with serious injury to persons, or to property of the value of approximately Rs. 10,000 or upwards, and any other accident which in the opinion of the Government Inspector requires the holding of an enquiry, shall be deemed to be an accident of a sufficiently serious nature to require the holding of an enquiry.

*Explanation (2).—*When an accident requiring the holding of an enquiry occurs at a station where the charges of two or more Government Inspectors meet, the duty of complying with this rule shall devolve on the Government Inspector within whose jurisdiction lies the railway working the station which is the scene of the accident.

7. Whenever the Government Inspector has made an enquiry under rule 6, or when he disagrees with, or considers it necessary adversely to criticise the report of the joint or departmental enquiry or the working of the railway, he shall submit a report in writing, through the Senior Government Inspector, to the Local Government or Administration controlling the railway and to the Railway Board or in the case of a railway which is directly administered by the State, to the Railway Board only; and shall forward a copy of such report to the Agent or Manager of the railway concerned, and, if a magisterial enquiry is being made, to the Magistrate who is making such enquiry.

8. (1) In the case of all accidents of the nature described in the first explanation to rule 6, a preliminary brief narrative report shall be submitted by the Government Inspector to the Railway Board immediately after the completion of his enquiry. This report shall not contain any reference to persons implicated. The report referred to in rule 7 shall be submitted in the form adopted by the Inspecting Officers of the Board of Trade and shall contain—

- (a) a brief description of the accident;
- (b) a description of the locality of the accident;
- (c) a detailed statement of the evidence taken;

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Notices of accidents on railways—*contd.*

- (d) the conclusions arrived at;
- (e) an appendix stating the damage done;
- (f) (when necessary) a sketch illustrative of the accident.

(2) Reports in connection with accidents which, although coming under section 83 of the Indian Railways Act, 1890, are not accidents of the nature described in the first explanation to rule 6, will be submitted to the Railway Board only if, in the opinion of the Senior Government Inspector, they contain features of special importance or requiring special notice. When the Senior Government Inspector recommends the publication of such a report, it shall be in the form adopted by the Inspecting Officers of the Board of Trade; when not recommended for publication, it may be in the form of a letter explaining, as briefly as possible, the special features which the Senior Government Inspector desires to bring to notice. (IX of 1890)

9. If the Agent or Manager makes any remarks on the Government Inspector's report under rules 15 and 16 or expresses an intention to do so, the Government Inspector shall inform the Railway Board and the Local Government or Administration controlling the railway, of the steps which have been or are proposed to be taken by the railway administration to prevent a recurrence of similar accidents, and whether, in his opinion, further action in the matter is desirable.

10. The Government Inspector shall, as far as possible, assist any Magistrate making an enquiry under rule 20 or a judicial enquiry, whenever he may be called upon to do so.

11. Nothing in these rules shall be deemed to limit or otherwise affect the exercise of any of the powers conferred on Government Inspectors by section 5 of the Indian Railways Act, 1890. (IX of 1890)

*Duties of the Agent or Manager, and of the Head of the Department concerned.*

12. Whenever any accident has occurred in the course of working a railway, the Agent or Manager shall give all reasonable aid to the District Magistrate or the Magistrate appointed or deputed under rule 20, and to the Government Inspector, Medical Officers, the police, and others concerned, to enable them promptly to reach the scene of the accident, and shall assist those authorities in making enquiries and in obtaining evidence as to the cause of the accident.

13. Whenever any accident occurring in the course of working a railway has been attended with grievous hurt as defined in the Indian Penal Code, it shall be the duty of the Agent or Manager to afford medical aid to the sufferers, and to see that they are properly and carefully attended



Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Notices of accidents on railways—*contd.*

to till removed to their home or handed over to the care of their relatives or friends. In any such case, or in any case in which any loss of human life or grievous hurt as defined in the Indian Penal Code has occurred, the nearest local medical officer should be communicated with, if he is nearer than any railway medical officer.

14. When any enquiry under rule 6 or rule 20 or any judicial enquiry is being made, the Agent or Manager shall arrange for the attendance, as long as may be necessary, at the office or place of enquiry, of all railway servants whose evidence is likely to be required. If the enquiry is to be held by the Government Inspector under rule 6, the Agent or Manager shall cause notice of the date, hour and place at which the enquiry will begin to be given to the officers mentioned in clauses (a) and (c) of rule 18. He shall also arrange for the attendance of the District officers at the enquiry.

15. Whenever the Agent or Manager receives a copy of the Government Inspector's report under rule 7 he shall at once acknowledge its receipt. If he differs from the views expressed in the report, he shall at the same time submit his remarks thereon, or, if he is not immediately able to do so, he shall in his acknowledgment of the report, inform the Government Inspector of his intention to submit his remarks later. If the Agent or Manager desires to prosecute any person or persons, he shall immediately forward a copy of the report, together with a statement of the persons he wishes to prosecute, to the District Magistrate of the district in which the accident occurred, or to such other officer as the Local Government may appoint in this behalf.

16. Whenever the report of the Government Inspector points to the necessity for or suggests a change in any of the rules or in the system of working, the Agent or Manager shall, when acknowledging the report, intimate the action which has been taken, or which it is proposed to take, to prevent a recurrence of similar accidents, or shall inform the Government Inspector of his intention to report further on the Government Inspector's proposals.

(IX of 1890.) 17. (1) Whenever an accident, such as is described in section 83 of the Indian Railways Act, 1890, has occurred in the course of working a railway, the Agent or Manager shall cause an enquiry to be promptly made by a committee of railway officers (to be called a "joint enquiry") for the thorough investigation of the causes which led to the accident:

Provided that such enquiry may be dispensed with—

- (a) if an enquiry is to be held by the Government Inspector under rule 6;
- (b) if the accident has not been attended with loss of human life, or with grievous hurt as defined in the Indian Penal Code, or with serious injury to property; or

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

#### Notices of accidents on railways—*contd.*

- (c) if there is no reasonable doubt as to the cause of the accident;  
or
  - (d) if one department of the railway intimates that it accepts all responsibility in the matter.
- (2) Where such enquiry is dispensed with, it shall be the duty of the head of the department of the railway responsible for the accident to make such enquiry (to be called a "departmental enquiry") as he may consider necessary, and if his staff or the system of working is at fault, to adopt or suggest such measures as he may consider expedient for preventing a recurrence of similar accidents.
18. (1) Whenever a joint enquiry is to be made, the Agent or Manager shall cause notice of the date and hour at which the enquiry will commence to be given to the following officers, namely:—
- (a) the District Magistrate of the district in which the accident occurred, or such other officer as the Local Government may appoint in this behalf, the Superintendent of Railway Police and the District Superintendent of Police;
  - (b) the Government Inspector appointed under sub-section (1) of section 4 of the Indian Railways Act, 1890 for the section of the railway on which the accident occurred; and (IX of 1890)
  - (c) the officer-in-charge of the railway police, or if there are no railway police, the officer-in-charge of the police-station in the jurisdiction of which the accident occurred.
- (2) The date and hour at which the enquiry will commence shall be fixed, so as to give the officers mentioned in sub-rule (1) sufficient time to reach the place where the enquiry is to be held.
19. (1) As soon as any joint or departmental enquiry has been completed the President of the Committee or the head of the department, as the case may be, shall send to the Agent or Manager a report which in the case of all accidents of the nature described in the explanation to rule 5 must be submitted in the form prescribed by sub-rule (1) of rule 8.
- (2) The Agent or Manager shall forward, with his remarks as to the action it is intended to take in regard to the staff responsible for the accident, or for the revision of the rules or the system of working, a copy of such report—
- (a) to the official mentioned in clause (b) of sub-rule (1) of rule 18;
  - (b) if no enquiry or investigation has been made under rule 20 or if a joint or departmental enquiry has been held first, to the Magistrate or officer appointed under clause (a) of sub-rule (1) of rule 18; and
  - (c) if any judicial enquiry is being made, to the Magistrate making such enquiry.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council.—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Notices of accidents on railways—*contd.*

(3) Such copy shall be accompanied in the case referred to in clause (b) of sub-rule (2), by a statement of the persons, if any, whom the Agent or Manager desires to prosecute, and in the case referred to in clause (c) of the same sub-rule, by a copy of the evidence taken at the enquiry.

*Duties of Magistrates.*

(IX of 1890.) 20. Whenever an accident, such as is described in section 83 of the Indian Railways Act, 1890, has occurred in the course of working a railway, the District Magistrate, or any other Magistrate who may be appointed in this behalf by the Local Government, may, either—

- (a) himself make an enquiry into the causes which led to the accident; or
- (b) depute a subordinate Magistrate, who, if possible, should be a Magistrate of the first class, to make such an enquiry; or
- (c) direct an investigation into the causes which led to the accident to be made by the police.

21. Whenever it is decided to make an enquiry under clause (a) or clause (b) of rule 20, the District Magistrate or other Magistrate appointed as aforesaid or the Magistrate deputed under clause (b) of rule 20, as the case may be, shall proceed to the scene of the accident and conduct the enquiry there, and shall at once advise the Agent or Manager of the railway and the Government Inspector by telegraph of the date and hour at which the enquiry will commence, so as to enable the railway administration to summon the requisite expert evidence.

22. A Magistrate making an enquiry under rule 20 may summon any railway servant, and any other person whose presence he may think necessary, and, after taking the evidence and completing the enquiry, shall, if he considers there are sufficient grounds for a judicial enquiry, take the requisite steps for bringing to trial any person whom he may consider to be criminally liable for the accident. Whenever technical points are involved, the Magistrate should call for the opinion of the Government Inspector or other professional persons.

23. The result of every enquiry or investigation made under rule 20 shall be communicated by the Magistrate to the Agent or Manager of the railway and to the Government Inspector.

24. If in the course of any judicial enquiry, into an accident occurring in the course of working a railway, the Magistrate desires the assistance of the Government Inspector or of the Agent or Manager of the railway, or the attendance of any officer of the railway, to explain any matter relating to railway supervision, management or working, he will issue a requisition to the Agent or Manager for the attendance at court of an

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Notices of accidents on railways—*contd.*

officer competent to explain such matter, stating at the same time the nature of the assistance required. In summoning railway servants, the Magistrate will take care not to summon so large a number of the employees, specially of one class, on the same day, as to cause inconvenience to the working of the railway. In the case of very serious accidents it will generally be advisable for the Magistrate to obtain a report from both the Government Inspector and the Agent or Manager of the railway in regard to the accident before finally concluding the judicial enquiry.

25. On the conclusion of any such judicial enquiry the Magistrate shall send a copy of his decision to the Agent or Manager of the railway, and to the Government Inspector, and shall, unless in any case he thinks it unnecessary to do so, report the result of the enquiry to the Local Government.

*Duties of Police Officers.*

26. (1) The railway police may make an investigation into the causes which led to any accident occurring in the course of working a railway and shall do so—

- (a) whenever any such accident is attended with loss of human life, or with grievous hurt as defined in the Indian Penal Code, or with serious injury to property, or has *primâ facie* been due to any criminal act or omission; or
- (b) whenever the District Magistrate or the Magistrate appointed under rule 20 has given a direction under clause (c) of that rule:

Provided that no such investigation shall be made when an enquiry has been commenced or ordered under clause (a) or clause (b) of rule 20.

(2) The railway police shall report, with as little delay as possible, to the nearest Station-master or, where there is no Station-master, to the railway servant in charge of the section of the railway on which the accident has occurred, every accident which may come to their notice occurring in the course of working a railway attended with loss of human life, or with grievous hurt as defined in the Indian Penal Code, or with serious injury to property, or which has *primâ facie* been due to any criminal act or omission.

27. (1) Whenever an investigation is to be made by the railway police—

- (a) in a case in which an accident is attended with loss of human life or with grievous hurt as defined in the Indian Penal Code, or with serious injury to property; or
- (b) in pursuance of a direction given under clause (c) of rule 20,

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Notices of accidents on railways—*contd.***

the investigation shall be conducted by the officer-in-charge of the railway police; or, if that officer should be unable to conduct the investigation himself, then by an officer to be deputed by him.

(2) The officer deputed under sub-rule (1) shall ordinarily be the senior officer available, and shall whenever possible be a Gazetted officer, and shall in no case be of rank lower than that of Inspector:

<sup>1</sup>[Provided that the investigation may be carried out by an Officer-in-Charge of a police station—

(i) in such a case as is referred to in clause (a) of sub-rule (1) unless loss of life or grievous hurt has been caused to more persons than one or injury to property has been caused to a value exceeding Rs. 10,000, or there is reason to suspect that any servant of the railway has been guilty of neglect of rules, or

(ii) in the case referred to in clause (b) of sub-rule (1) if the District Magistrate so directs.]

28. The officer who is to conduct an investigation in pursuance of rule 27 shall proceed without delay to the scene of the accident and conduct investigation there, and shall at once advise the Agent or Manager of the railway and the Traffic Officer of the district by telegraph of the date and hour at which the investigation will commence so that, if possible, the presence of a railway official may be arranged for to watch the proceedings and to aid the officer making the investigation. The absence of a railway official must not, however, be allowed to delay the investigation, which should be made as soon as possible after the accident has taken place.

29. (1) In every case to which rule 27 applies, immediate information shall be given by the railway police to the district police, who, if so required, shall afford all necessary assistance, and shall, if occasion arise, carry the investigation beyond the limits of the railway premises. But the railway police are primarily entrusted with the duty of carrying on the investigation within such limits.

(2) Subject to any provisions elsewhere contained in these rules, the further prosecution of the case, on the conclusion of the police investigation, shall rest with the railway police.

30. The result of every police investigation shall be reported at once to the District Magistrate or other officer appointed in this behalf by the Local Government to the Agent or Manager of the railway or other officer appointed by him, and to the Government Inspector.

<sup>1</sup> Substituted by Notification No. 120-T.-18, dated 6th September, 1923, see Gazette of India, 1923, Pt. I, p. 1161.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Notices of accidents on railways—*concl.***

31. Where there are no railway police, the duties imposed by rules 26, 27 and 28, sub-rule (2) of rules 29, and 30 on the railway police, or on the officer-in-charge of the railway police, shall be discharged by the district police or by the District Superintendent of Police, as the case may be.

[See Gazette of India, 1923, Pt. I, p. 295.]

**Rules regarding the submission of the returns of accidents.**

*No. 390-St.-23, dated the 29th August, 1923.*—In exercise of the powers conferred by the notification of the Government of India in the Department of Commerce and Industry, No. 801, dated the 24th March, 1905, and in pursuance of section 85 of the Indian Railways Act, 1890 (IX of 1890), the Railway Board are pleased, in supersession of the rules published with their notification No. 120-T. (18), dated the 20th February, 1919, and of all notifications amending the rules issued therewith, to make the following rules, namely:—

1. The returns shall be prepared in the forms hereto appended, marked, respectively, Tables Nos. 1 to 5. The returns shall be submitted not later than three weeks after the close of the year to which they relate. The returns, whether submitted in manuscript or in print, shall be set forth on one side of the paper only.

2. The returns shall comprise all accidents of the following classes, namely:—

- (a) all cases of loss of, or injury to, life or limb from causes connected with the working of railways;
- (b) all cases of injury to the permanent-way, stock or works, whether attended or not by injury to life or limb;
- (c) all cases, without exception, of cattle being thrown off the line or run over: Provided that, in such cases, the following additional rules shall be observed, namely:—
  - (i) Whether cattle are actually run over or merely thrown off the line, all cases of cattle coming in contact with running trains shall be included in the accident returns.
  - (ii) If more than one head of cattle are run over at one time, *i.e.*, in one accident, the occurrence shall be treated as one accident.

3. The following classes of railway servants shall be included in the returns, namely:—

- (a) all persons employed in stations, including police;
- (b) all persons employed in the maintenance of way and works, exclusive of men entertained for special works, that is, for

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE INDIAN RAILWAYS ACT, 1890 (IX of 1890).

Rules regarding the submission of the returns of accidents—*contd.*

railway works, involving no risk from the working of trains  
*e.g.*, the construction of spurs in a river on which railway  
 work-people are employed; and

- (c) all persons employed on trains or running engines, also all  
 gate-keepers.

4. Accidents which are of a trivial nature, such as petty accidents in shunting, failure of springs or bursting open of points by trains, resulting in no further damage or accident, or small landslips not interrupting traffic, need not be included in the returns. . All accidents shall, however, be recorded in the office of the Agent or Manager of the railway concerned, it being left to that officer to decide which of them may be omitted from the returns as trivial.

5. In cases where one accident might appropriately be classified under more than one head (such as breakage of an axle causing derailment), the classification shall be in accordance with the primary cause of the accident, and the same accident shall not be classified under more than one head.

6. Under the heading "12 (c)—*Trains running over obstructions on the line*" Table No. 2, only such accidents shall be entered as are caused by trains running over obstructions (*e.g.*, sleepers, rails or stones, placed on the line) other than those caused by the accidental misplacement of railway appliances in the ordinary course of working. Accidents due to trains mounting scotch blocks, or other misplaced railway appliances, or travelling over split or trailing points, and resulting in derailments or collisions shall be shown under these respective heads.

7. Accidents connected with the bursting of boilers shall be shown separately from those connected with the bursting of tubes.

8. Interruptions to traffic owing to several breaches near together caused by floods occurring on the same day and from the same cause shall be treated as one accident.

9. Failure of engines due to want of water, or to fire-bars melting and dropping in the ash-pan owing to excessive heat shall be classified under head "12 (e)—*Miscellaneous*", of Table No. 2.

10. Accidents to mixed trains shall be treated as occurring to passenger trains.

11. Casualties from causes unconnected with railway working, such as death of passengers in carriages or at stations, from natural causes, or to other persons, such as cases of falling into wells or of drowning in wells or ponds, within the station limits of a railway, shall not be included in Table No. 3 of the returns, nor shall slight abrasions or bruises, which are incidental to a man's ordinary duties, be included in the said Table.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Rules regarding the submission of the returns of accidents—*concl'd.*

12. Accidents on open lines of railway not coming under any of the classified heads in the forms marked Tables Nos. 1 and 2 but which have caused loss of human life or personal injury, shall be entered in the form marked Table No. 3.

13. In Tables Nos. 1 to 5 those accidents only shall be entered which have occurred during the year to which the returns relate.

14. (1) Accidents to trains of one railway exercising running powers over another shall be treated, for the purposes of these returns, as accidents of the line owning the trains.

(2) Accidents at joint stations shall be similarly treated. Other accidents at joint stations or on lines on which running powers are exercised, shall be included in the returns of the working or owning line.

15. Accidents occurring:—

- (a) in railway workshops; or
  - (b) on new works not opened for traffic; or
  - (c) on lines under construction; or
  - (d) on lines not used for the public carriage of passengers, animals or goods; or
  - (e) to steamers or flats working in connection with railways,
- shall be entered in Table No. 4 only.

[See Gazette of India, 1923, Pt. I, p. 1125.]



AND ORDERS.

**Part II.—General Rules and Orders made under General  
Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Rules regarding the submission of the returns of accidents—*contd.***

**TABLE No. 1.**



## AND ORDERS.

# Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

## THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

### Rules regarding the submission of the returns of accidents—contd.

No. 1.

192, as killed or injured on the \_\_\_\_\_ Railway train accidents, distinguishing between passengers, Railway servants and of the accidents occasioning the death or injury.

VANTS.		OTHER ACCIDENTS.		OTHERS.	

THE INDIAN RAILWAYS ACT, 1890 (IX of 1890).

### Rules regarding the submission of the returns of accidents—contd.

TABLE NO. 2.—TRAIN ACCIDENTS.

*Accidents to Trains, Rolling-Stock and Permanent-Way, etc., reported during the year ending with the 31st March 192 , as having occurred on the \_\_\_\_\_ Railway (open line) distinguishing the different classes of accidents and the number of passengers, railway servants, and others killed or injured, in each class of accidents.*

	NUMBER.	No. OF PASSENGERS.	No. OF SERVANTS.	OTHERS.	TOTAL ALL CLASSES.
	Accidents reported to Local Government under section 83 of the Indian Railways Act, 1890 (IX of 1890).	Other accidents.			
		Total.	Killed.	Injured.	Killed.
1. Collisions between passenger trains or parts of passenger trains.					
(To include all)					
2. Collisions between passenger trains and goods or mineral trains, engines and vehicles standing foul of the line.					
(To include all)					
3. Collisions between passenger trains and buffer stops or vehicles standing against buffer stops, due to trains running into stations and sidings at too high a speed.					
(To include all)					
Collisions between goods and mineral trains and parts of goods or mineral trains, engines and vehicle standing foul of the line					
(To include all except slight collisions in the course of shunting where damage done amounts to less than Rs. 100).					



Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

### Rules regarding the submission of the returns of accidents—contd.

TABLE NO. 2.—TRAIN ACCIDENTS—*contd.*

	NUMBER.	No. OF PASSENGERS.	No. OF SERVANTS.	OTHERS.	TOTAL ALL CLASSES.
	Accidents reported to Local Government under section 83, of the Indian Railways Act, 1890 (IX of 1890).	Other accidents Total. Killed, Injured.	Killed, Injured.	Killed, Injured.	Killed, Injured.
8. Other derailments—  (a) due to trains travelling in the wrong direction through points.  (b) other causes . . . .  (To include all derailments excepting those which occur in Locomotive Yards and cost less than Rs 100 in damages).					
9. Accidents due to failures of engines and rolling-stock—  (a) the bursting of boilers of engines.  (To include all)  (b) the bursting of tubes, etc., of engines.  (To include all cases when the engine is working a train or when there is serious damage done to property, loss of life or injury, not otherwise).  (c) the failure of machinery, springs, etc., of engines—  (To include all failures of engines on trains when the delay to trains is an hour and over. Failures when merely shunting in yards not to be included).					



## Part II.—General Rules and Orders made under General Acts of the Governor General in Council.—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

**Rules regarding the submission of the returns of accidents—contd.**

TABLE NO. 2—TRAIN ACCIDENTS—*contd.*[illegible]





## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Rules regarding the submission of the returns of accidents—*contd.*

TABLE NO. 3.

*Return of persons (a) reported during the year ending with the 31st March 192 , as having been killed or injured on the—  
Railway by accidents in which the movement of vehicles used exclusively upon railways was not concerned.*

	NUMBER OF PASSENGERS.		NUMBER OF SERVANTS.		OTHERS.		TOTAL ALL CLASSES.	
	Killed	Injured.	Killed	Injured.	Killed	Injured.	Killed	Injured.
1. While ascending or descending steps at stations.								
2. By being struck by barrows by falling over packages, etc., on platform.								
3. From falling off platforms .								
4. Whilst loading, unloading or sheeting wagons.								
5. Whilst moving or carrying goods at stations, etc.								
6. Whilst working at cranes or capstans.								
7. By the falling of wagon doors, lamps, bales of goods, etc.								
8. From falling off, or when getting on or off, stationary engines or vehicles.								
9. From falling off platforms, ladders, scaffolds, etc.								
10. By stumbling whilst walking on the line or platforms.								
11. Whilst attending to stationary engines in sheds.								
12. By being trampled on or kicked by horses.								
13. Whilst working on the line or in sidings.								
14. Miscellaneous . . .								
TOTAL								

(a) See rules 11 and 12.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.**

**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

**Rules regarding the submission of the returns of accidents—contd.**

**TABLE No. 4.**

*Return of accidents occurring during the year ending with the 31st March 192 , on the \_\_\_\_\_ Railway.*

*N.B.—Accidents entered in Table No. 4 are not to be entered in any other tables of the return.*

	Number of accidents.	SERVANTS.		OTHERS.	
		Killed.	Injured.	Killed.	Injured.
1. In railway workshops (slight abrasions or bruises which are incidental to a man's ordinary duties need not be entered).					
2. On new works not opened for traffic					
3. On lines under construction					
4. On lines not used for the public carriage of passengers, animals and goods.					
5. The steamers or flats working in connection with the railway.					
<b>TOTAL</b>					

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Rules regardnig the submission of the returns of accidents—*concl.*

(a) TABLE NO. 5.

*Accidents to Railway servants caused by the movement of Trains and Railway vehicles exclusive of Train Accidents classified in respect of primary causes during the year ending with 31st March 192 , on the \_\_\_\_\_ Railway.*

Cause.	MOVEMENT CASES.			
	Killed.	Percentage.	Injured.	Percentage.
1. Misadventure or accidental				
2. Want of caution or misconduct on the part of the injured person.				
3. Want of caution or breach of rules, etc., on the part of servants other than the persons injured.				
4. Defective systems of working, dangerous places, dangerous conditions of work or want of rules or systems of working.				
5. Defective apparatus, appliances, etc., or want of sufficient appliances, safeguards, etc.				
TOTAL		100'00	...	100'00

N.B.—The number of servants killed and injured included in Table No. 1 are required to be classified by causes under this Table and the total of items 1 to 5 should therefore agree with the total given in Table 1.

(a) To be prepared by class I Railways only.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Officers appointed to determine amount of taxes payable in disputed cases.

*No. 350, dated the 23rd August, 1894.*—The following is published for general information:—

No. 434 R. T., dated 17th August, 1894.

**RESOLUTION.**—The Governor General in Council having carefully considered the question is of opinion that a general revision of the existing system of local taxation in regard to railways is unnecessary.

2. Should any railway administration however consider that any particular tax or its assessment is unreasonable or disproportionate to the services rendered, the Governor General in Council is pleased to decide that an application for the revision of such tax or assessment should be made direct to the Commissioner in charge of the Division in which the tax is levied, or, where there is not such a Commissioner, to the officer holding a position corresponding to that of a Commissioner (*e.g.*, the Collector in the Presidency of Madras or the Deputy Commissioner in Sylhet or Cachar), who is hereby appointed under section 135, sub-section (2), of the Indian Railways Act, 1890 (IX of 1890), to inquire specially into all the circumstances of the case, and determine, in communication with the contending parties, the sum, if any, which should be paid.

3. The Governor General in Council further desires to call the attention of local authorities to the Government of India, Public Works Department, Notifications <sup>1</sup>No. 270, dated the 12th June, 1890, and <sup>1</sup>No. 136, dated the 5th April, 1893 (under which every railway administration was declared liable to pay all taxes legally in force during the year ended on 30th April, 1890), and to direct that when it is sought to impose any new tax on a railway, application should be made through the Local Government concerned for the sanction of the Governor General in Council under section 135, sub-section (1), of the Act referred to above. In all such applications the reasons for imposing the new tax must be fully explained, and at the same time the views of the railway administration affected thereby should be obtained by the Local Government and submitted, together with the application.

[See Gazette of India, 1894, Pt. I, p. 486.]

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Secretary to Railway Board authorized to sign documents containing sanction, etc., of Governor General in Council.

*No. 802, dated the 24th March, 1905.*—In exercise of the powers conferred by section 139 of the Indian Railways Act, 1890 (IX of 1890),

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<sup>1</sup> These notifications have now been superseded by Notification No. 9977, dated the 29th November, 1907, *supra*.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).**

Secretary to Railway Board authorized to sign documents containing sanction, etc., of Governor General in Council—*contd.*

as in force in British India and as locally applied, the Governor General in Council is pleased to authorise the Secretary to the Railway Board to sign all documents containing any notice, determination, direction, requisition, appurtenant, or expression of opinion, approval or sanction given or signified on the part of the Governor General in Council for any of the purposes of, or in relation to, the said Act or any of the powers or provisions therein contained.

[*See Gazette of India, 1905, Pt. I, p. 233.*]

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**Delegation of powers to Local Governments.**

*No. 268, dated the 11th June, 1890.*—In exercise of the powers conferred by section 144 of the Indian Railways Act, 1890 (IX of 1890), the Governor General in Council is pleased to delegate to Local Governments, in regard to railways under their control, and to the extent and subject to the conditions hereinafter specified, the following powers and functions which are now vested in him under the said Act; the powers and functions hereby delegated being liable to be revoked or varied, and the exercise and discharge thereof to be controlled as the Governor General in Council may from time to time think fit:—

- (1) *Sections 7, 9 and 11.*—All the powers and functions of the Governor General in Council subject to the proviso that the exercise and discharge of such powers and functions will not entail any expenditure in excess of the general powers of sanction of the Local Government concerned.
- (2) *Section 48.*—All the powers and functions of the Governor General in Council, only in cases where the railways concerned are under the control of one and the same Local Government.
- (3) *Section 54.*—All the powers and functions of the Governor General in Council.
- (4) *Section 5; section 51, clauses (a), (b), (c), (d), and (e); and section 55.*—All the powers and functions of the Governor General in Council.
- (5) *Section 63.*—The power of determining the vernacular languages in which the maximum number of passengers to be carried in each compartment shall be exhibited.
- (6) *Section 83.*—The power of notifying the Magistrates and Police officers to whom notices of railway accidents are to be given.

[*See Gazette of India, 1890, Pt. I, p. 438.*]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX OF 1890).

Extension of Act except section 135 to the Shahdara (Delhi)-Saharanpur Light Railway.

*No. 5752, dated the 5th July, 1907.*—In exercise of the power conferred by section 146 of the Indian Railways Act, 1890 (IX of 1890), the Governor General in Council is pleased to extend the whole of the said Act, except section 135, to the Shahdara (Delhi)-Saharanpur Light Railway.

[See Gazette of India, 1907, Pt. I, p. 569.]

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Exemption of the East Indian and the Bengal-Nagpur Railways from the provisions of sub-section (2) of Sec. 42 of the Act.

*No. 1-D., dated the 28th December, 1916.*—In exercise of the powers conferred by section 147 of the Indian Railways Act, 1890 (IX of 1890), the Governor General in Council is pleased to exempt the East Indian and the Bengal Nagpur Railways from the provisions of sub-section (2) of section 42 of the said Act.

[See Gazette of India, 1916, Pt. I, p. 1924.]

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Articles added to Second Schedule of Act.

*No. 247, dated the 12th June, 1894.*—In exercise of the powers conferred by clause (s) of the second schedule to the Indian Railways Act (IX of 1890), the Governor General in Council is pleased to declare that the following articles shall be added to the said schedule,—namely, narcotic preparations of hemp.

[See Gazette of India, 1894, Pt. I, p. 370.]

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*No. 464, dated the 3rd November, 1896.*—In exercise of the powers conferred by clause (s) of the second schedule to the Indian Railways Act (IX of 1890), the Governor General in Council is pleased to declare that the following articles shall be added to the said schedule.—namely, jade, jadestone, and amber.

[See Gazette of India, 1896, Pt. I, p. 914.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAYS ACT, 1890 (IX of 1890).

Articles added to Second Schedule of Act—*concl'd.*

*No. 537, dated the 29th December, 1899.*—In exercise of the powers conferred by clause (s) of the second schedule to the Indian Railways Act, 1890 (IX of 1890), the Governor General in Council is pleased to declare that crude India rubber shall be added to the said schedule.

[See Gazette of India, 1899, Pt. I, p. 1116.]

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*No. 5, dated the 4th January, 1901.*—In exercise of the power conferred by clause (s) of the second schedule to the Indian Railways Act, 1890 (IX of 1890), the Governor General in Council is pleased to declare that feathers shall be added to the said schedule.

[See Gazette of India, 1901, Pt. I, p. 22.]

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*No. 228, dated the 7th November, 1912.*—In exercise of the powers conferred by the Notification of the Government of India in the Department of Commerce and Industry, No. 801, dated the 24th March 1905, the Railway Board sanction, under clause (s) of the second schedule to the Indian Railways Act, 1890 (IX of 1890), the addition of "Itr" to the said Second Schedule.

[See Gazette of India, 1912, Pt. I, p. 1250.]

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*No. 389-T. (19), dated the 19th March, 1920.*—In exercise of the powers conferred by the Notification of the Government of India in the Department of Commerce and Industry, No. 801, dated the 24th March 1905, the Railway Board sanction, under clause (s) of the second schedule to the Indian Railways Act, 1890 (IX of 1890), the addition of "Zahir Mohra Khatai" to the said Second Schedule.

[See Gazette of India, 1920, Pt. I, p. 565.]



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).**

**Duties on sugar imported into British India.**

*No. 1327-S. R., dated the 20th March, 1899.*—In exercise of the powers conferred by section 8-A of the Indian Tariff Act, 1894 (VIII of 1894, as amended by Acts III of 1896 and XIV of 1899), the Governor General in Council is pleased to impose, with effect from this date, the following further duties, in addition to those chargeable under No. 8 of the fourth schedule to the said Act, upon the importation into British India of sugar of the kinds hereinafter specified, produced in or exported from the countries hereinafter mentioned under bounties as hereinafter determined and declared, whether the same is imported directly from the country of production or otherwise, and whether it is imported in the same condition as when exported from the country of production or has been changed in condition by manufacture or otherwise:—

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

Duties on sugar imported into British India—*contd.*

Countries.	Kinds of Sugar.	Bounties bestowed.	Additional duties to be levied.
France— <i>contd.</i>	Refined sugars in loaf or crushed clear, hard and dry.	11.51 francs per 100 kilograms	Per cwt. Rs. A. P. 3 7 6
	Raw and refined sugars in grains or crystals of a minimum standard of 98 per cent. polarization.	11.17 francs per 100 kilograms	3 6 0
	Raw sugar of at least 90 per cent. polarization and refined sugar under 98 per cent. and of at least 90 per cent. polarization.	2.50 marks per 100 kilograms	0 15 3
Germany	Candy and sugar in white, hard loaves, blocks, crystals, etc., of at least 99½ per cent. polarization.	2.55 marks per 100 kilograms	1 6 0
	All other sugar of at least 98 per cent. polarization.	3 marks per 100 kilograms	1 2 0
Holland	<sup>1</sup> [Raw sugar produced in Holland from beet-roots.	1.38 florins per 100 kilograms of hard refined.*	0 14 0
	Sugar refined from beet-root raw sugar produced in Holland.	1.57 florins per 100 kilograms	0 15 11

\* The output of refined sugar from raw is computed by deducting from the polarization of the raw sugar twice the glucose, four times the ashes, and one and a half per cent. for loss in refining.

<sup>1</sup> Substituted by Notification No. 817-S. R., dated the 7th February 1902, see Gazette of India, 1902, Pt. I, p. 137.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TARIFF ACT, 1894 (VIII of 1894).

Duties on sugar imported into British India—*concl'd.*

Countries.	Kinds of Sugar.	Bounties bestowed.	Additional duties to be levied.
Holland— <i>cont'd.</i>	Sugar refined from imported raw sugar.	19 florins per 100 kilograms in addition to bounty, if any, allowed on the raw sugar by the country of production.	Per cwt. Rs. A P. 0 1 11 in addition to countervailing duty, if any, on the raw sugar.]
	Refined beet-root sugars	0-2040 florins per 100 kilograms of hard refined, in addition to above rate	0 3 0 in addition to above rate.
	Refined sugar from materials other than beet-root raw sugar.		
Russia	Sugar of at least 99 per cent. polarization.	0-50 rouble per pood (36-113 lb. avoirdupois).	3 11 0
	Sugar of less than 99 per cent. polarization, but not less than 88 per cent.	0-44 rouble per pood	3 4 0
	Sugar of less than 88 per cent. but not less than 75 per cent.	0-38 rouble per pood	2 13 0

[See Gazette of India, 1899, Pt. 1, p. 190.]

# Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

### Rules for the identification of sugar chargeable with additional or special Assessment of sugar duties.

No. 3447-S. R., dated the 28th July, 1899.—In exercise of the powers conferred by section 8A of the Indian Tariff Act (VIII of 1894, as amended by Acts III of 1896 and XIV of 1899), the Governor General in Council is pleased to make the following rules regarding the assessment of the additional duties on sugar imported from countries where differential rates of bounty are payable according to percentage of polarization:—

- (1) If the importer declares that bounty has been paid on the sugar imported at the highest rate shown for the country of production or export in the Notification of the Government of India in the Finance and Commerce Department No. 1327-S. R., dated the 20th March, 1899, the corresponding rate of additional duty shall be levied and it shall not be necessary to have the sugar tested in India.
- (2) If the importer declares that the bounty was paid at any rate below the highest, the sugar shall be tested.
- (3) The object of the test shall be to enable the Collector of Customs to determine the class in which the sugar should be deemed to have been placed for the payment of bounty; and the additional duty shall be assessed at the rate corresponding to the rate of bounty which the result of the test, in the opinion of the Collector of Customs, indicates as the rate of bounty paid. The additional duty shall be collected at the rate assessed by the Collector of Customs under this rule, unless the importers shall produce documentary evidence to the satisfaction of the Collector that the bounty was actually paid at a lower rate when the additional duty shall be collected at the rate corresponding to such lower rate of bounty.

[See Gazette of India, 1899, Pt. I, p. 704.]

### Remission of duty on Russian Sugar.

No. 8152—7, dated the 1st September, 1908.—For Notification by the Government of India in the Department of Commerce and Industry No. 7991—7, dated the 26th August, 1908, substitute the following namely:—

No. 7901—7, dated the 26th August, 1908.—In exercise of the power conferred by sections 8A and 8B of the Indian Tariff Act, 1894 (VIII

<sup>1</sup> *Supra*, p. 200.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).**

**Remission of duty on Russian Sugar—*contd.***

of 1894), as subsequently amended, the Governor General in Council is pleased to direct that the duties leviable in pursuance of the said sections shall be remitted, with effect from the 1st September, 1908, in respect of sugar produced in Russia, provided that such sugar is imported into British India—

- (a) direct from the country of production; or
- (b) through another country which is also a party to the Brussels Sugar Convention of 1902, without having been transhipped at, or unloaded in, or carried through, any country which is not a party to the said Convention;

and provided also that it is accompanied by a certificate of origin, such as is required in respect of sugar produced in other countries, which are parties to the Brussels Sugar Convention of 1902.

[See Gazette of India, 1908, Pt. I, p. 821.]

Part II.—General Rules and Orders made under General  
Acts of the Governor General in Council—*contd.*

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THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

**Part II.—General Rules and Orders made under General  
Acts of the Governor General in Council—*contd.***

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THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

Rules for the identification of sugar chargeable with additional or special duty.

*No. 3610—4, dated the 25th May, 1909.*—In exercise of the powers conferred by section 8A, sub-section (2), and section 8B, sub-section (3), of the Indian Tariff Act, 1894 (VIII of 1894), as amended by the Indian Tariff Amendment Act, 1899 (XIV of 1899), the Indian Tariff (Amendment) Act, 1902 (VIII of 1902), the Indian Tariff (Amendment) Act, 1903 (XII of 1903), and the Tariff Act, 1904 (XI of 1904), and in supersession of the rules for the identification of sugar published in the Notification of the Government of India in the Finance and Commerce Department, No. 4439-S. R., dated the 14th August, 1902, as amended by the Notification in that Department No. 5202-Exc., dated the 15th August, 1904, and by the Notifications in this Department No. 523, dated the 10th March, 1905, and No. 1351—7, dated the 21st February, 1906, the Governor General in Council is pleased to make the following rules for the identification of sugar chargeable with an additional or



Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

Rules for the identification of sugar chargeable with additional or special duty—*contd.*

special duty imposed under sub-section (1) of the said sections, respectively, and for the assessment and collection of such additional or special duty, namely:—

RULES.

1. For the purposes of these rules, unless there is anything repugnant in the subject or context, "Customs-port," "Chief Customs authority," "Customs Collector," "owner" and "public warehouse" have the meanings respectively assigned to them in the Sea Customs Act, 1878 (VIII of 1878).

2. Where any sugar is imported into any Customs-port, the owner shall declare to the Customs Collector in what country such sugar was produced, and shall furnish him with such other information as may be necessary to enable him correctly to assess the additional or special duty (if any) chargeable under sub-section (1) of section 8A or 8B, respectively, of the Indian Tariff Act, 1894 (VIII of 1894).

3. (1) Where the information required by rule 2 is not furnished, the Customs Collector shall deposit and detain the sugar in such part of the Custom house premises as he may deem suitable.

(2) The owner of any sugar deposited and detained under sub-rule (1) may, at any time, clear such sugar on payment of the additional or special duty leviable thereon and of the other charges payable to the Customs Collector, whether for wharfage-fees or otherwise, in respect of the same.

(3) For the purposes of sub-rule (2) and for the purpose of calculating the surplus payable to the owner under section 88 of the Sea Customs Act, 1878, the additional or special duty leviable upon any sugar deposited and detained under sub-rule (1) shall, if the information necessary for the correct assessment of the additional or special duty leviable thereon has not been furnished, be assessed at such rate not exceeding the highest rate of additional or special duty leviable upon any class of sugar as the Governor General in Council may, by general or special order, fix in this behalf.

4. The Customs Collector may accept the information required by these rules in any form which he may consider sufficient; and he shall accept it if given in the form and manner hereinafter prescribed.

5. Where sugar is imported into any Customs port from a bonded warehouse in the United Kingdom, or, being refined sugar, has been imported on payment of duty into the United Kingdom and exported.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

#### Rules for the identification of sugar chargeable with additional or special duty—*contd.*

thence without drawback to any Customs-port, the owners shall furnish the Customs Collector with a certificate in Form A.

6. Where refined sugar, having passed through a refinery in the United Kingdom, is imported from the United Kingdom into any Customs-port, the owner shall furnish the Customs Collector with a certificate in Form B.

7. (1) In the case of any sugar—

(a) which, though nominally imported into the United Kingdom has merely passed through a port in the United Kingdom in transit to be re-exported thence to any Customs-port in the same or another bottom; or

(b) which has been imported into any Customs-port from any country other than the United Kingdom;

the owner shall furnish the Customs Collector with one of the following documents, namely:—

(i) where the sugar was produced in the country from which it was exported either to the United Kingdom or direct to India, a certificate by the exporter or shipper in Form C;

(ii) where the sugar was produced in a country other than that from which it was exported either to the United Kingdom or direct to India, a certificate by the shipper or exporter in Form D.

(2) Where any sugar referred to in sub-rule (1) has been exported from a port in any country other than the United Kingdom or any British Possession to the United Kingdom or to any Customs-port, the certificate shall be attested by the British Consular Officer at the port in such country.

(3) Where, in any case referred to in sub-rule (2), the British Consular Officer so desires, the certificate shall have been approved and communicated to him by a local Chamber of Commerce.

(4) Where in any case referred to in sub-rule (2), the sugar is alleged to be the produce of a country which is a party to the Brussels Sugar Convention of 1902, a certificate granted by a duly authorised Customs Officer of that country as to the origin of the sugar shall be accepted as sufficient proof of its origin.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

Rules for the identification of sugar chargeable with additional or special duty—*contd.*

FORM A.

(RULE 5.)

*Certificate of Origin for Sugar not manufactured in the United Kingdom.*

I, the undersigned Collector of Customs, do hereby certify that the Sugar designated below is about to be exported in the vessel \_\_\_\_\_ to (a) \_\_\_\_\_, destined for (b) \_\_\_\_\_, and that the said Sugar is the produce of (c) \_\_\_\_\_

NUMBER AND DESCRIPTION OF PACKAGES.		Marks.	Numbers.	Net weight in cwt.	Description of Sugar, whether beet or cane.	Polarization.
Number.	Description.					

(Signature) \_\_\_\_\_

*Collector of Customs.*  
*(in the United Kingdom).*

Port of \_\_\_\_\_

Date \_\_\_\_\_

Official Stamp.

*Directions:—*

- (a) *Port to which shipped.*
- (b) *Country of destination.*
- (c) *Country of production.*

The validity of this Certificate expires twelve months from the date thereof. This Certificate is not applicable to Sugar in transit.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN TARIFF ACT, 1894 (VIII of 1894).**

**Rules for the identification of sugar chargeable with additional or special duty—*contd.***

**FORM B.**

**(Rule 6.)**

*Certificate of Origin for Sugar manufactured in the United Kingdom.*

I, the undersigned Collector of Customs, do hereby certify that the Sugar designated below is about to be exported in the vessel \_\_\_\_\_ to (a) \_\_\_\_\_, destined for (b) \_\_\_\_\_, and that the said Sugar has been manufactured in the United Kingdom from Raw Sugar originating in \_\_\_\_\_

NUMBER AND DESCRIPTION OF PACKAGES.		Marks.	Numbers.	Net weight in cwts.	Description of Sugar, whether beet or cane.	Polarization.
Number.	Description.					

(Signature) \_\_\_\_\_

*Collector of Customs.*  
*(in the United Kingdom).*

Port of \_\_\_\_\_

Date \_\_\_\_\_

Official Stamp.

*Directions :—*

(a) *Port to which shipped.*

(b) *Country of final destination.*

The validity of this Certificate expires twelve months from the date thereof. This Certificate is not applicable to Sugar in transit.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

Rules for the identification of sugar chargeable with additional or special duty—*contd.*

FORM C.

*Declaration by the Exporter or Shipper at a Foreign Port as to the origin of Sugar produced in the country from which it was exported either to the United Kingdom, or direct to India.*

[Rule 7, sub-head (i).]

I, A. B.,  
declare that the consignment of  
of \_\_\_\_\_ degrees of polarization, in  
addressed as follows: and shipped on  
\_\_\_\_\_, consigned to Messrs.  
\_\_\_\_\_ was produced in (b)

cwt. of  $\frac{\text{beet}}{\text{cane}}$  Sugar, (a) Insert  
bags, marked and name of post  
190, per steamer in the  
& Co. of (a) U. K.  
India.  
(b) Insert  
name of  
country of  
export

*Signature of the Exporter or Shipper.*

Certified that I believe the above declaration to be true.

*Signature of Consul at Foreign Port of exportation.*

FORM D.

*Declaration by the Exporter or Shipper at a Foreign Port as to the Origin of Sugar produced elsewhere than in the country of export.*

[Rule 7, sub-head (ii).]

I, A. B.,  
declare that the consignment of  
of \_\_\_\_\_ degrees of polarization, in  
addressed as follows:  
and shipped on \_\_\_\_\_ 190, per steamer

cwt. of  $\frac{\text{beet}}{\text{cane}}$  Sugar,  
bags, marked and

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

Rules for the identification of sugar chargeable with additional or special duty—*contd.*

<p>(a) Insert name of port in the</p> <p style="text-align: center;">U. K. India.</p> <p>(b) Insert country of production.</p> <p>(c) Insert name of country.</p> <p>(d) Insert port of shipment.</p> <p>(e) Insert name of place whence the sugar was exported in transit.</p> <p>(f) Insert port of shipment.</p>	<p>consigned to Messrs. _____ &amp; Co. of (a)</p> <p>was produced in (b) _____ and exported thence</p> <p>in bond on the _____ for transit through (c)</p> <p style="text-align: center;">to (d) _____ for shipment to India.</p>
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I produce and annex to this declaration the bills of lading and other relevant documents attested by the Customs and other officials at (e) \_\_\_\_\_ and at (f) \_\_\_\_\_

*Signature of the Exporter or Shipper.*

Certified that I have examined the documents mentioned and believe the foregoing declaration to be true.

*Signature of Consul at Foreign Port of exportation.*

[See Gazette of India, 1909, Pt. I, p. 429.]

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*No. 2026-S. R., dated the 25th March, 1904.*—With reference to section 8B, sub-section (3) of the Indian Tariff Act, 1894 (VIII of 1894), as amended by Acts VIII of 1902 and XI of 1904, the Governor General in Council is pleased to declare the amount, as ascertained and determined by him of the excess referred to in sub-section (1) of the said section to be, in the case of the countries mentioned in the first column of the schedule hereto annexed, the sums specified in the third column of the said schedule for the kinds of sugar specified in the second column thereof.

2. In exercise of the powers conferred by sub-section (1) of the said section 8B, the Governor General in Council is pleased to impose with effect from the 1st April, 1903, a special duty at the rates specified in the fourth column of the said schedule, upon sugar of the kinds described in the second column, when imported into British India from the countries mentioned in the first column, whether the same is imported directly from the country of production or otherwise and whether it is imported in the same condition as when exported from the country of production or has been changed in condition by manufacture or otherwise.

## AND ORDERS.

# Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE INDIAN TARIFF ACT, 1894 (VIII OF 1894):

Rules for the identification of sugar chargeable with additional or special duty—*concl'd.*

### The Schedule.

Countries.	Kinds of Sugar.	Amount of excess per cwt.	Rate of special duty per cwt.
(1)	(2)	(3)	(4)
Argentine Republic	Refined Sugar . . . .	10 14 10	5 7 5
	Unrefined Sugar . . . .	8 1 4	4 0 8
Russia . . . . .	Refined Sugar . . . .	1 4 4	9 10 2
	Unrefined Sugar . . . .	11 15 8	5 15 10

### Duty on Salted Fish.

No. 39-T., dated the 18th March, 1924.—In exercise of the power conferred by the Indian Tariff Act, 1894 (VIII of 1894), and in supersession of the notification in the Department of Commerce, No. 139-T., dated the 1st March, 1924, the Governor General in Council is pleased to direct that on and from the date of this notification a duty at the rate of seven and a half annas per maund of 82½ lbs. avoirdupois shall be levied on salted fish, dry or wet, imported into any customs port from any place beyond the limits of British India.

[See Gazette of India, 1924, Pt. I, p. 243.]

### Trade after the War—Hides, Skins and Leather.

No. 650, dated the 3rd April, 1920.—In pursuance of item 3 of Schedule III of the Indian Tariff Act, 1894 (VIII of 1894), the Governor General in Council is pleased to prescribe that a rebate of two-thirds of the export duty on raw hides or skins shall be allowed only on the exporter furnishing to the Collector of Customs at the place of export a bond securing the payment of the remainder of the duty within six months from the date of shipment of the hides or skins, which bond shall be cancelled on receipt, within that period, of a certificate granted by such Association or other person in the country of destination as the

<sup>1</sup> The entry relating to Denmark was cancelled by Notification No. 2681—21, dated the 6th April, 1912, see Gazette of India, 1912, Pt. I, p. 400.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

Trade after the War—Hides, Skins and Leather—*contd.*

Governor General in Council may designate in this behalf, certifying that the raw hides or skins have been delivered to a tanner for tanning in His Majesty's dominions or in a State in India or in a territory under the protection of His Majesty or in respect of which a mandate of the League of Nations is exercised by the Government of any part of His Majesty's dominions:

Provided that—

- (i) nothing in this notification shall be deemed to require the production of a bond in the case of exports of raw hides or skins to Indian States other than Cuttahi; and
- (ii) the Collector of Customs at the place of export may, if, on the expiry of the six months aforesaid, no such certificate has been furnished and he is of opinion that sufficient cause has been shown, discharge the bond and accept in place thereof a fresh bond securing payment of the remainder of the duty within such further period as he thinks fit.

[See Gazette of India, 1920, Pt. I, p. 601.]

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*No. 652, dated the 3rd April, 1920.*—In pursuance of the Notification in this Department No. 650, dated the 3rd April 1920, the Governor General in Council is pleased to designate the Indian Trade Commissioner, London, as the person by whom the certificates required by the said Notification should be granted in the case of raw hides or skins exported to the United Kingdom.

[See Gazette of India, 1920, Pt. I, p. 601.]

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*No. 899, dated the 10th April, 1920.*—In pursuance of the Notification in this Department No. 650, dated the 3rd April 1920, the Governor General in Council is pleased to designate, as the persons by whom the certificates required by the said Notification should be granted in the case of raw hides or skins exported to New Zealand, the Collectors of Customs for the time being at the ports of Auckland, Dunedin, Invercargill, Lyttelton, Napier, Nelson, New Plymouth, Timaru, Wanganui and Wellington.

[See Gazette of India, 1920, Pt. I, p. 628.]



## AND ORDERS.

Part II.—General Rules and Orders made under General  
Acts of the Governor General in Council—*contd.*

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THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

Trade after the War—Hides, Skins and Leather—*contd.*

*No. 1123, dated the 17th April, 1920.*—In pursuance of the Notification in this Department No. 650, dated the 3rd April 1920, the Governor General in Council is pleased to designate, as the persons by whom the certificates required by the said notification should be granted in the case of raw hides or skins exported to the Union of South Africa, the Collector of Customs at the port of entry or clearance in the Union.

[See Gazette of India, 1920, Pt. I, p. 661.]

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*No. 2076, dated the 15th May, 1920.*—In pursuance of the Notification in this Department No. 650, dated the 3rd April 1920, the Governor General in Council is pleased to designate, as the persons by whom the certificates required by the said Notification should be granted in the case of raw hides or skins exported to the Dominion of Canada, the Collectors of Customs in the Dominion.

[See Gazette of India, 1920, Pt. I, p. 1007.]

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*No. 3053, dated the 19th June, 1920.*—In pursuance of the Notification in this Department No. 650, dated the 3rd April 1920, the Governor General in Council is pleased to designate the Secretaries to the Chambers of Commerce at Melbourne, Sydney, Adelaide, Perth, Brisbane and Hobart, as the persons by whom the certificate required by the said Notification should be granted in the case of raw hides or skins exported to the Commonwealth of Australia.

[See Gazette of India, 1920, Pt. I, p. 1267.]

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*No. 3862, dated the 10th July, 1920.*—In pursuance of the Notification in this Department No. 650, dated the 3rd April 1920, the Governor General in Council is pleased to designate the Commissioner of Trade and Customs as the person by whom the certificates required by the said Notification should be granted in the case of raw hides or skins exported to the Federated Malay States.

[See Gazette of India, 1920, Pt. I p. 1322.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

Trade after the War—Hides, Skins and Leather—*concl'd.*

*No. 698, dated the 29th January, 1921.*—In pursuance of the Notification in this Department No. 650, dated the 3rd April, 1920, the Governor General in Council is pleased to designate Mr. J. B. Barron, Director of Revenue and Customs, as the person by whom the certificates required by the said Notification should be granted in the case of raw hides or skins exported to Palestine.

[See Gazette of India, 1921, Pt. I, p. 146.]

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Steam tramways included in term "Railway" in Article 93 of Schedule 4 of Act, 1894.

*<sup>1</sup>No. 2470-S. R., dated the 12th June, 1896.*—The Governor General in Council is pleased to declare that, with effect from the 27th December, 1894, the Steam Tramway constructed between Tezpur and Balipara in the Darrang District of Assam shall, for the purposes of Article 93 of Schedule IV of the Indian Tariff Act (VIII of 1894), as amended by Acts XVI of 1894 and III of 1896, be included in the term "Railway" as used in the said article.

[See Gazette of India, 1896, Pt. I, p. 454.]

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*<sup>1</sup>No. 2087-S. R., dated the 18th April, 1902.*—The Governor General in Council is pleased to declare that the Bukhtiarpur-Bihar Tramway shall, for the purposes of item No. 58 of Schedule IV of the Indian Tariff Act, 1894 (VIII of 1894), as amended by Acts XVI of 1894 and III of 1896, be included in the term "Railway" as used in the said item.

[See Gazette of India, 1902, Pt. I, p. 291.]

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<sup>1</sup> Though these notifications apply to purely local railways and tramways, they are included as their provisions would be a guide to officials at customs ports in the case of material imported for them. The numbers of the Articles and the Schedules have since been changed.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

Steam tramways included in term, "Railway" in Article 93 of Schedule 4 of Act, 1894—*contd.*

*No. 5527, dated the 17th September, 1921.*—In exercise of the power conferred by the first proviso to Article 58 of Schedule II to the Indian Tariff Act, 1894 (VIII of 1894), the Governor General in Council is pleased to declare that the Tiruvallur Tramway shall be deemed to be included in that Article.

[See Gazette of India, 1921, Pt. I, p. 1272.]

*No. 930-S. R., dated the 9th February, 1904.*—The Governor General in Council is pleased to declare that the Barasat-Basirhat Tramway shall, for the purposes of item No. 59 of Schedule IV of the Indian Tariff Act, 1894 (VIII of 1894), as amended by the Indian Tariff Act (1894), Amendment Act, 1896 (III of 1896), be included in the term "Railway" as used in the said item.

[See Gazette of India, 1904, Pt. I, p. 145.]

*No. 6529-S. R., dated the 13th October, 1904.*—In exercise of the power conferred by the proviso to Article 59 of Schedule IV to the Indian Tariff Act, 1894 (VIII of 1894), the Governor General in Council is pleased to declare that the Tarakeshwar-Magra Tramway (now known as the Tarakeshwar-Magra Light Railway) including the Tribeni Branch of that Tramway, shall be deemed to be included in that Article.

[See Gazette of India, 1904, Pt. I, p. 780.]

*No. 6658-S. R., dated the 20th October, 1904.*—In exercise of the power conferred by the proviso to Article 59 of Schedule IV to the Indian Tariff Act, 1894 (VIII of 1894), the Governor General in Council is pleased to declare that the Jagatballabhpur-Antpur extension of the Howrah-Amta Tramway (known as the Howrah-Amta Light Railway) shall be deemed to be included in that Article.

[See Gazette of India, 1904, Pt. I, p. 800.]

**Part II.—General Rules and Orders Made Under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).**

**Steam tramways included in term "Railway" in Article 93 of Schedule 4 of Act, 1894—*concl'd.***

<sup>1</sup>*No. 809-81, dated the 31st January, 1906.*—In exercise of the power conferred by the proviso to Article 60 of Schedule IV of the Indian Tariff Act, 1894 (VIII of 1894), the Governor General in Council is pleased to declare that the Matheran Light Steam Tramway shall be deemed to be included in that Article.

[See Gazette of India, 1906, Pt. I, p. 74.]

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**Inclusion of the Basirhat-Chingrihatta (Hosanabad) Extension of the Baraset-Basirhat Light Railway in Article 60 of Schedule IV of the Act.**

<sup>1</sup>*No. 5212-77, dated the 17th July, 1909.*—In exercise of the power conferred by the proviso to Article 60 of Schedule IV to the Indian Tariff Act, 1894 (VIII of 1894), the Governor General in Council is pleased to declare that the Basirhat-Chingrihatta (Hosanabad) Extension of the Baraset-Basirhat Light Railway shall be deemed to be included in that Article.

[See Gazette of India, 1909, Pt. I, p. 603.]

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**Inclusion of the Shivrajpur Tramway in Article 60 of Schedule IV of the Act.**

*No. 6689-89, dated the 8th September, 1909.*—In exercise of the power conferred by the proviso to Article 60 of Schedule IV of the Indian Tariff Act, 1894 (VIII of 1894), the Governor General in Council is pleased to declare that the Shivrajpur Tramway shall be deemed to be included in that Article.

[See Gazette of India, 1909, Pt. I, p. 804.]

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**Inclusion of the Balliaghatta-Pattipukur Extension of the Baraset-Basirhat Light Railway in Article 60 of Schedule IV of the Act.**

<sup>1</sup>*No. 1828-23, dated the 7th March, 1910.*—In exercise of the power conferred by the proviso to Article 60 of Schedule IV to the Indian Tariff Act, 1894 (VIII of 1894), the Governor General in Council is pleased to declare that the Balliaghatta-Pattipukur Extension of the Baraset-Basirhat Light Railway shall be deemed to be included in that Article.

[See Gazette of India, 1910, Pt. I, p. 237.]

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<sup>1</sup> See footnote 1 on p. 218, *supra*.

## AND ORDERS.

# Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).

Inclusion of the Pipar Road-Bilara Tramway in Article 60 of Schedule IV of the Act.

*No. 5013—56, dated the 6th July, 1912.*—In exercise of the power conferred by the proviso to Article 60 of Schedule IV of the Indian Tariff Act, 1894 (VIII of 1894), the Governor General in Council is pleased to declare that the Pipar Road-Bilara Tramway shall be deemed to be included in that Article.

[See Gazette of India, 1912, Pt. I, p. 742.]

Inclusion of the Buthidaung-Maungdaw Tramway in Article 60 of Schedule IV of the Act.

*No. 5815—72, dated the 26th July, 1913.*—In exercise of the power conferred by the proviso to Article 60 of Schedule IV of the Indian Tariff Act, 1894 (VIII of 1894), the Governor General in Council is pleased to declare that the Buthidaung-Maungdaw Tramway shall be deemed to be included in that Article.

[See Gazette of India, 1913, Pt. I, p. 718.]

Inclusion of the Tarikere-Yedahalli Tramway in the Mysore State in Article 60 of Schedule IV of the Act.

*No. 2279—32, dated the 4th April, 1914.*—In exercise of the power conferred by the proviso to Article 60 of Schedule IV of the Indian Tariff Act, 1894 (VIII of 1894), the Governor General in Council is pleased to declare that the Tarikere-Yedahalli Tramway in the Mysore State shall be deemed to be included in that Article.

[See Gazette of India, 1914, Pt. I, p. 842.]

Inclusion of the Sasaram-Tarachandi Hill Extension of the Arrah-Sasaram Light Railway in Article 60 of Schedule IV of the Act.

*No. 2568—33, dated the 11th April, 1914.*—In exercise of the power conferred by the proviso to Article 60 of Schedule IV of the Indian Tariff Act, 1894 (VIII of 1894), the Governor General in Council is pleased to declare that the Sasaram-Tarachandi Hill Extension of the Arrah-Sasaram Light Railway shall be deemed to be included in that Article.

[See Gazette of India, 1914, Pt. I, p. 855.]

<sup>1</sup> See footnote 1 on p. 218, *supra*.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN TARIFF ACT, 1894 (VIII OF 1894).**

**Inclusion of the Pattipooker-Belgatchia Extension of the Baraset-Basirhat Light Railway in Article 60 of Schedule IV of the Act.**

*No. 11910—111, dated the 24th October 1914.*—In exercise of the power conferred by the proviso to Article 60 of Schedule IV of the Indian Tariff Act, 1894 (VIII of 1894), the Governor General in Council is pleased to declare that the Pattipooker-Belgatchia Extension of the Baraset-Basirhat Light Railway shall be deemed to be included in that Article.

[See Gazette of India, 1914, Pt. I, p. 1708.]

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE PRISONS ACT, 1894 (IX of 1894).

## Prison-offences.

*Resolution No. 12-Jails—500-510, dated the 31st August 1896.*—With reference to the provisions contained in section 46, clauses (4), (6) and (7), of the Prisons Act (IX of 1894), the Governor General in Council is pleased to make the following rules to regulate the punishment of prison-offences by loss of privileges admissible under the remission system and the imposition of handcuffs and fetters:—

<sup>1</sup>*Part I.—Loss of privileges admissible under the remission system for the time being in force.*

For a prison-offence any one of the following punishments involving loss of privileges admissible under the remission system may be awarded:—

- (a) Forfeiture of remission earned.
- (b) Temporary forfeiture of class, grade or prison privileges.
- (c) Temporary or permanent reduction from a higher to a lower class or grade.
- (d) Temporary or permanent exclusion from the remission system.

Provided that:—

No order directing the forfeiture of remission in excess of nine days or the exclusion of a prisoner from the remission system for a period exceeding three months shall take effect without the previous sanction of the Inspector-General.

*Part II.—The imposition of handcuffs.*

1. Handcuffs imposed by way of punishment for prison-offences shall be iron bar-handcuffs weighing, with lock, not more than 2lb. each, or swivel with spring-catch handcuffs weighing not more than 1½lb. each, or chain handcuffs weighing not more than 1lb. each.
2. Handcuffs may be imposed:—

- (a) on the wrists in front by day or night for a period of not more than twelve hours at a time, with intervals of not less than twelve hours between each period, and for not more than four consecutive days or nights;
- (b) on the wrists behind by day only for a period of not more than six hours in any day of twenty-four hours, and for not more than four consecutive days;

<sup>1</sup> Substituted by Resolution No. 161—172, dated the 25th June, 1903 (not published in the Gazette).

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE PRISONS ACT, 1894 (IX of 1894).**

**Prison-offences—*contd.***

- <sup>1</sup>[(c) by attaching the handcuffs affixed on the prisoner's wrists to a staple in front of the prisoner by day for not more than four consecutive days and for not more than six hours on each day with an interval of at least one hour after the handcuffs have been so attached for three hours;]

Provided that such staple shall not be higher than the prisoner's shoulder nor lower than his waist, and that no prisoner shall be attached by handcuffs to a staple except in the presence of other prisoners.

<sup>2</sup>[Provided further that the punishment referred to in clause (c) shall not be executed until the prisoner to whom the punishment has been awarded has been examined by the medical officer and pronounced to be fit to undergo the punishment:]

[Provided also that this punishment shall be restricted to cases where the prisoner has been guilty of repeated and wilful violations of any prison rule, and where, in fact, his conduct is evidently due to contumacy.]

3. A prisoner while undergoing punishment in handcuffs shall be under complete shelter from the sun.

*Part III.—The imposition of fetters.*

1. The following classes of fetters may be used in prisons:—

- (a) Link fetters composed of a chain and ankle-rings. The total weight of such fetters, including ankle-rings, shall not exceed 3lb. and the chain shall be not less than two feet in length.
- (b) Bar-fetters composed of two bars joined together by a link and attached to ankle-rings. The total weight of such fetters, including the ankle-rings, shall not exceed 5lbs. and each bar shall be not less than twenty inches in length.
- (c) Cross-bar fetters composed of a single bar for the purpose of keeping the legs apart and of ankle-rings. The total weight of such fetters, including ankle-rings, shall not exceed 2½lb. The length of the bar shall not exceed sixteen inches in the case of men who are not less than five feet six inches in height, or fourteen inches in the case of men below this height.

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<sup>1</sup> Substituted by Notification No. F-503-22, dated 30th October, 1923, see Gazette of India, 1923, Pt. I, p. 1506.

<sup>2</sup> Inserted by Notification No. F-503-22, dated 30th October, 1923, see Gazette of India, 1923, Pt. I, p. 1506.



## AND ORDERS.

# Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE PRISONS ACT, 1894 (IX OF 1894).

## Prison-offences—*contd.*

2. The maximum period for which fetters may be continuously imposed shall be:—

- (a) in case of linked fetters [three months].<sup>1</sup>
- (b) in the case of bar-fetters [three months].<sup>1</sup>
- (c) in the case of cross-bar fetters, two hundred and forty hours.

A period of at least ten days must elapse after fetters of any kind have been imposed as a punishment for a prison-offence before they can be again imposed as a punishment for another prison-offence, whether of the same kind or not.

In exercise of the powers conferred by section 59 of the Prisons Act (IX of 1894) and of all other powers in that behalf, the Governor General in Council is pleased to make the following rules under *clauses* (1), (3), (4), (5) and (6) of that section for all the territories to which the said Act extends:—

## Part I.—Prison-offences [*clause* (1)].

The following acts are forbidden, and every prisoner who wilfully commits any of the following acts shall be deemed to have wilfully disobeyed the regulations of the prison, and to have committed a prison-offence within the meaning of section 45 of the said Act:—

- <sup>2</sup>[(1) Talking when at file or at unlocking or at latrine, bathing or other parades, or at any time when ordered by an officer of the prison to desist, and singing, loud laughing and loud talking at any time;]
- (2) Quarrelling with any other prisoner;
- (3) Secreting any article whatever;
- (4) Showing disrespect to any jail officer or \* \* \* visitor
- (5) Making groundless complaints;
- (6) Answering untruthfully any question put by an officer of the prison or [a visitor]<sup>3</sup>;

<sup>1</sup> These words were substituted for the words "twelve months" in clause (a) and "six months" in clause (b), by Notification No. F-503-22, dated 30th October, 1923, see Gazette of India, 1923, Pt. I, p. 1506.

<sup>2</sup> Substituted by Notification No. F-743-1-22, dated 12th October, 1923, see Gazette of India, 1923, Pt. I, p. 1507.

<sup>3</sup> The word "official" was omitted by *ibid.*

\* These words were substituted for the words "an official visitor," by *ibid.*

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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### THE PRISONS ACT, 1894 (IX OF 1894).

#### Prison-offences—*contd.*

- (7) Holding any communication (in writing, by word of mouth, or otherwise) with an outsider, with a prisoner of the opposite sex, civil or under-trial prisoner, or a prisoner of a different class in disobedience of the regulations of the prison;
- (8) Abetting the commission of any prison-offence;
- (9) Omitting to assist in the maintenance of discipline by reporting any prison-offence, or to give assistance to an officer of the prison when called on to do so;
- (10) Doing any act or using any language calculated to wound or offend the feelings and prejudices of a fellow-prisoner;
- (11) Doing any act calculated to create any unnecessary alarm in the minds of the prisoners or officers of the prison;
- (12) Leaving without permission of an officer of the prison the gang to which he is attached; or the part of the prison in which he is confined;
- (13) Leaving without permission of an officer of the prison the ward, the yard, the place in file, the seat or berth assigned to him;
- (14) Loitering about the yards, or lingering in the wards when these are open;
- (15) Omitting or refusing to march in file when moving about the prison;
- (16) Visiting the latrines or bathing platforms except at stated hours or without permission of an officer of the prison, or resorting unnecessarily to the night latrine, or omitting or refusing to employ dry earth in the manner directed by the prison regulations;
- (17) Refusing to eat the food prescribed by the prison diet scale;
- (18) Eating or appropriating any food not assigned to him, or taking from, or adding to the portions assigned to, other prisoners;
- (19) Removing without permission of an officer of the prison food from the cook room or godowns or from the place where meals are served, or disobeying any orders as to the issue and distribution of food and drink;
- (20) Wilfully destroying food, or throwing it away without orders;
- (21) Introducing into food or drink anything likely to render it unpalatable or unwholesome;

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*****THE PRISONS ACT, 1894 (IX OF 1894).****Prison-offences—*contd.***

- (22) Omitting or refusing to wear the clothing given to him, or exchanging any portion of it for the clothing of other prisoners, or losing, discarding, damaging, or altering any part of it;
- (23) Removing, defacing, or altering any distinctive number, mark or badge attached to, or worn on, the clothing or person;
- (24) Omitting or refusing to keep the person clean, or disobeying any order regulating the cutting of hair or nails;
- <sup>1</sup>[(25) Omitting or refusing to keep clean his clothing, blankets, bedding, fetters, iron cups or platters or neck-ticket or other identification token, or disobeying any order as to the arrangement or disposition of such articles;]
- (26) Tampering in any way with prison locks, lamps or lights or other property with which he has no concern;
- (27) Stealing the prison clothing or any part of the prison kit of any other prisoner;
- (28) Committing a nuisance in any part of the prison;
- (29) Spitting on or otherwise soiling any floor, door, wall, or other part of the prison building or any article in the prison;
- (30) Wilfully befouling the wells, latrines, washing or bathing places;
- (31) Damaging the trees and vegetables in the garden of the jail, or maltreating the prison cattle;
- (32) Omitting or refusing to take due care of all prison property entrusted to him;
- (33) Omitting or refusing to take due care of, or injuring, destroying or misappropriating, the materials and implements entrusted to him for work;
- (34) Omitting to report at once any loss, breakage or injury which he may accidentally have caused to prison property or implements;
- (35) Manufacturing any article without the knowledge or permission of an officer of the prison;
- (36) Performing any portion of the task allotted to another prisoner, or obtaining the assistance of another prisoner in the performance of his own task;

<sup>1</sup> Substituted by Notification No. F-503—1-22, dated 30th October 1923, see Gazette of India, 1923, Pt. I, p. 1507.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE PRISONS ACT, 1894 (IX OF 1894).**

**Prison-offences—*contd.***

- (37) Appropriating any portion of the task performed by another prisoner;
- (38) Mixing or adding any foreign substance to the materials issued for work;
- (39) Wilfully causing to himself any illness, injury or disability;
- (40) Causing, or omitting to assist in suppressing, violence or insubordination of any kind;
- (41) Taking part in any attack upon any prisoner or officer of the prison;
- (42) Omitting or refusing to help any officer of the prison in case of an attempted escape or of an attack upon such officer or upon another prisoner;
- (43) Disobeying any lawful order of an officer of the prison or omitting or refusing to perform duties in the manner prescribed.

***<sup>1</sup>Part II.—The classification of punishments [clause (3)].***

The punishments enumerated in section 46 of the said Act, including those prescribed by the Governor General in Council under section 46 clauses (4), (6) and (7) shall be classified into minor and major punishments.

The following punishments shall be considered minor punishments:—

- (1) Formal warning;
- (2) Change of labour to some more irksome or severe form;
- (3) Forfeiture of remission earned not exceeding three days;
- (4) Forfeiture of class, grade, or prison privileges for a period not exceeding three months;
- (5) Temporary reduction from a higher to a lower class or grade;
- (6) Penal diet;
- (7) Solitary confinement for not more than 48 hours;
- (8) Cellular confinement for not more than 7 days;
- (9) Separate confinement for not more than 14 days;
- (10) Imposition of handcuffs otherwise than by handcuffing a prisoner behind or to a staple;

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<sup>1</sup> Substituted by Resolution No. 161—172, dated the 25th June, 1908 (not published in the Gazette). These are not statutory rules but executive instructions.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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THE PRISONS ACT, 1894 (IX OF 1894).

**Prison-offences—*contd.***

- (11) Imposition of link-fetters for not more than 30 days, and
- (12) Substitution of gunny or other coarse clothing for the portion of the ordinary prison dress which is not woollen.

The following punishments shall be considered major punishments:—

- (1) Hard labour in the case of prisoners not sentenced to rigorous imprisonment;
- (2) (a) Forfeiture of remission earned, exceeding 3 but not exceeding 9 days;
- (b) Forfeiture of remission earned, in excess of 9 days;
- (c) Forfeiture of class, grade, or prison privileges for a period exceeding 3 months;
- (d) Exclusion from the remission system for a period not exceeding 3 months;
- (e) Exclusion from the remission system for a period exceeding 3 months;
- (f) Permanent reduction from a higher to a lower class or grade;
- (3) Solitary confinement for a period exceeding 48 hours;
- (4) Cellular confinement for a period exceeding 7 days;
- (5) Separate confinement for a period exceeding 14 days;
- (6) Link-fetters, if imposed for more than 30 days;
- (7) Bar-fetters;
- (8) Cross-bar fetters;
- (9) Handcuffing behind or to a staple;
- (10) Penal diet combined with solitary confinement for more than 48 hours;
- (11) Whipping; and
- (12) Any combination of minor punishments admissible under section 47 of the Act.

NOTE.—The major punishments 2 (b) and 2 (c) and any combination of the major punishments 2 (b), 2 (c) and 2 (c) shall not be awarded by the Superintendent of a prison without the previous sanction of the Inspector-General of Prisons.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE PRISONS ACT, 1894 (IX OF 1894).**

**Prison-offences—*contd.***

*Part III.—The circumstances in which an act constituting both a prison-offence and an offence under the <sup>1</sup>Indian Penal Code may or may not be dealt with as a prison-offence [clause (4)].*

1. When in the opinion of the Superintendent any of the following offences are established against any prisoner, he shall refer the case to the Magistrate exercising jurisdiction for inquiry in accordance with the <sup>2</sup>Code of Criminal Procedure, 1882:—

- (1) Offences punishable under sections 147, 148 and 152 of the Indian Penal Code.
- (2) Offences punishable under sections 222, 223 and 224 of the Indian Penal Code.
- (3) Offences punishable under sections 304A, 309, 325 and 326 of the Indian Penal Code.
- (4) Any offence triable exclusively by the Court of Session.

2. It shall be in the discretion of the Superintendent to determine with respect to any other act which constitutes both a prison-offence and an offence under the Indian Penal Code, whether he will use his own powers of punishment, or move the Magistrate exercising jurisdiction to inquire into it in accordance with the <sup>2</sup>Code of Criminal Procedure, 1882.

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<sup>3</sup>*Part IV.—The shortening of sentences by the grant of remissions [clause (5)].*

1. These rules apply to the whole of British India, inclusive of British Baluchistan, and the Sonthal parganas.

2. In these rules—

- (a) “prisoner” includes a person committed to prison in default of furnishing security to keep the peace or be of good behaviour;
- (b) “class 1 prisoner” means a thag, a robber by administration of poisonous drugs or a professional, hereditary or specially dangerous criminal convicted of heinous organized crime, such as dacoity;
- (c) “class 2 prisoner” means a dacoit or other person convicted of heinous organized crime, not being a professional, hereditary, or specially dangerous criminal;

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<sup>1</sup> For Act XLV of 1860, see the reprint of the Act as modified up to 1st February, 1922, Genl. Acts, Vol. I.

<sup>2</sup> See now the Code of Criminal Procedure, 1898 (V of 1898), as modified up to 1st September 1923, Genl. Acts, Vol. V.

<sup>3</sup> Inserted by Resolution No. 161—172, dated the 25th June, 1908 (not published in the Gazette). These rules took effect from the 1st January, 1909.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE PRISONS ACT, 1894 (IX of 1894).

Prison-offences—*contd.*

- (d) "class 3 prisoner" means a prisoner other than a class 1 or class 2 prisoner;
- (e) "sentence" means a sentence as finally fixed on appeal revision or otherwise, and includes an aggregate of more sentences than one and an order of committal to prison in default of furnishing security to keep the peace or be of good behaviour;
- (f) "life convict" means—
  - (i) a class 1 or class 2 prisoner whose sentence amounts to twenty five years' imprisonment, or
  - (ii) a class 3 prisoner whose sentence amounts to twenty years' imprisonment.

<sup>1</sup>NOTE.—The case of all life-convicts and of all prisoners sentenced to more than 14 years' imprisonment or transportation or to transportation and imprisonment for terms exceeding in the aggregate 14 years shall, when the term of imprisonment undergone, together with any remission earned under the rules amounts to 14 years, be submitted for the orders of the Local Government in accordance with the instructions contained in the Home Department Resolution No. 159—67 (Jails), dated the 6th September, 1905.

3. No remission shall be earned in respect of any sentence of transportation or imprisonment under section 2 of the Frontier Murderous Outrages Regulation, 1901 (IV of 1901), passed on a person above the age of fifteen years.

4. No ordinary remission shall be earned in the following cases, namely:—

- (1) in respect of any sentence of imprisonment amounting, exclusive of any sentence passed in default of payment of fine, to less than [six months]<sup>2</sup>;
- (2) in respect of any sentence of simple imprisonment except for any continuous period not being less than one month during which the prisoner labours<sup>3</sup> voluntarily;

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<sup>1</sup>NOTE.—The intention of rule 4 (1) is that if a prisoner's sentence or total of sentences is reduced on appeal to less than one year he shall cease to be eligible for ordinary remission under these rules, and any remission that he may have earned prior to the reduction of his sentence or sentences shall be forfeited. See in this connection the definition of "sentence" in rule 2 (e).

<sup>2</sup> This and the following notes should not be regarded as part of the statutory rules. They have merely been inserted for convenience of reference and with the object of assisting in the interpretation of the rules.

<sup>3</sup> Substituted for the words "one year" by Notification No. F-503—2-22, dated 30th October, 1923, see Gazette of India, 1923, Pt. I, p. 1507.

<sup>4</sup> Omitted by Resolution No. 1058-C.—1078-C., dated the 22nd December, 1914 (not published in the Gazette).

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE PRISONS ACT, 1894 (IX OF 1894).

#### Prison-offences—*contd.*

<sup>1</sup>[(4A) If a prisoner is convicted of an offence committed after admission to jail, under section 147, 148, 152, 224, 302, 304, 304A, 306, 307, 308, 323, 324, 325, 326, 332, 333, 352, 353 or 377 of the Indian Penal Code, or of an assault committed after admission to jail on a warder or other officer, the remission of whatever kind earned by him under these rules up to the date of the said conviction may, with the sanction of the Inspector General of Prisons, be cancelled.]

5. The Superintendent may, with the previous sanction of the Inspector-General, re-admit to the remission system any prisoner who has been removed therefrom under rules framed under section 59, clause (3) of the Act. Such a prisoner shall earn remission under these rules from the commencement of the month following such re-admission.

6. Ordinary remission shall be awarded on the following scale:—

(a) [two days]<sup>2</sup> per month for thoroughly good conduct and scrupulous attention to all prison regulations;

(b) two days per month for industry and the due performance of the daily task imposed.

<sup>3</sup>[6A. A prisoner who is unable to labour through causes beyond his control, by reason of being at court, in transit from one jail to another, in hospital or on an invalid gang shall be granted remission under clause (a) of rule 6 on the scale earned by him during the previous month if his conduct prior to and during the period in question has been such as to deserve such grant. He shall also be entitled to the grant of remission under clause (b) on the scale earned by him during the previous month if he has been in prison during that term; if not at the rate of two days per month:

Provided that if his absence from work is due to his own misconduct in jail no remission under clause (b) shall be awarded for the period of absence;

Provided also that if he is in hospital or on an invalid gang, no remission under clause (b) of rule 6 shall be granted unless the medical officer certifies that the prisoner's absence from labour is due to causes beyond his control and is in no way caused by any action of the prisoner himself taken with a view to escape work or to get into or to remain in hospital.]

<sup>1</sup> Inserted by Notification No. F-503—2-22, dated 30th October, 1923, see Gazette of India, 1923, Pt. I, p. 1507.

<sup>2</sup> Substituted for the words "one day" by Notification No. F-503—2-22, dated 30th October, 1923, see Gazette of India, 1923, Pt. I, p. 1507.

<sup>3</sup> Substituted for the explanation by *ibid.*



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE PRISONS ACT, 1894 (IX of 1894).**

***Prison-offences—contd.***

7. In lieu of the remission allowed under rule 6, convict warders shall receive 8 days' ordinary remission per month, convict overseers six days per month, and convict night watchmen <sup>1</sup>[five days] per month.

8. Subject to the provisions of rule 5, remission under rule 6 shall be calculated from the first day of the calendar month next following the date of the prisoner's sentence; any prisoner who, after having been released on bail or because his sentence has been temporarily suspended is afterwards re-admitted to jail, shall be brought under the remission system on the first day of the calendar month next following his re-admission, but shall be credited on his return to jail with any remission which he may have earned previous to his release on bail or the suspension of his sentence. Remission under rule 7 shall be calculated from the first day of the next calendar month following the appointment of the prisoner as convict warder, convict overseer or convict night watchman.

9. Prisoners employed on prison services, such as cooks and sweepers, who work on Sundays and holidays, may be awarded two days' ordinary remission per quarter in addition to any other remission earned under these rules.

10. Any prisoner eligible for remission under these rules who, for a period of one year reckoned from the first day of the <sup>2</sup>[month] following the date of his sentence or the date on which he was last punished for a prison offence, has committed no prison offence whatever, shall be awarded fifteen days' ordinary remission in addition to any other remission earned under these rules.

<sup>3</sup>[Explanation for the purposes of this rule prison offences punished only with a warning shall not be taken into account.]

11. Ordinary remission shall be awarded by the Superintendent or, subject to his control and supervision and to the provisions of rule 12, by the Deputy Superintendent, Jailor, Deputy Jailor or any other officer specially empowered in that behalf by him.

12. An officer awarding ordinary remission shall, before making the award, consult the prisoner's history-ticket in which every offence proved against the prisoner must be carefully recorded.

If a prisoner has not been punished during the quarter otherwise than by a formal warning, he shall be awarded the full ordinary remission for that quarter under rule 6, or, if he is a convict officer, under rule 7.

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<sup>1</sup> Substituted for the words "four days" by Notification No. F.-503—2-22, dated 30th October, 1923, see Gazette of India, 1923, Pt. I, p. 1507.

<sup>2</sup> Substituted for the word "quarter" by *ibid.*

<sup>3</sup> Added by *ibid.*

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE PRISONS ACT, 1894 (IX OF 1894).**

**Prison-offences—*contd.***

If a prisoner has been punished during the quarter otherwise than by a formal warning, the case shall be placed before the Superintendent, who, after considering the punishment or punishments awarded, shall decide what amount of remission shall be granted under rule 6, or, if the convict is a convict officer, under rule 7. All remissions recorded on the prisoner's history-ticket shall be entered quarterly on the remission sheet (or card).

13. The award of ordinary remission shall be made, as nearly as possible, on 1st January, 1st April, 1st July and 1st October, and the amount shall be intimated to the prisoner and recorded on his history-ticket. Remission granted to a prisoner under rule 10 shall be recorded on his history-ticket as soon as possible after it is awarded.

14. No prisoner shall receive ordinary remission for the calendar month in which he is released.

15. Special remission may be given to any prisoner [whether entitled to ordinary remission or not]<sup>1</sup> other than a prisoner undergoing a sentence referred to in rule 3 for special services, as for example:—

- (1) assisting in detecting or preventing breaches of prison discipline or regulations;
  - (2) success in teaching handicrafts;
  - (3) special excellence in, or greatly increased outturn of, work of good quality;
  - (4) protecting an officer of the prison from attack;
  - (5) assisting an officer of the prison in the case of outbreak of fire or similar emergency;
  - (6) economy in wearing clothes.
16. Special remission may be awarded—
- (a) by the Superintendent to an amount not exceeding 30 days in one year;
  - (b) by the Inspector-General or the Local Government to an amount not exceeding 60 days in one year.

**EXPLANATION.**—For the purpose of this rule years shall be reckoned from the date of sentence, and any fraction of a year shall be reckoned as a complete year.

17. An award of a special remission shall be entered on the history-ticket of the prisoner as soon as possible after it is made, and the reasons for every award of special remission by a Superintendent shall be briefly recorded.

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<sup>1</sup> Inserted by Notification No. F.-503—2-22, dated 30th October, 1923, see Gazette of India, 1923, Pt. I, p. 1507.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE PRISONS ACT, 1894 (IX OF 1894).**

***Prison-offences—contd.***

18. The total remission awarded to a prisoner under all these rules shall not, without the special sanction of the Local Government, exceed one-fourth part of his sentence.

19. In calculating the date of release of a prisoner the number of days of remission earned shall be converted into months and days, at the rate of thirty days to each month.

20. When a life-convict who is either—

- (a) a class I prisoner, or
- (b) a class II or class III prisoner, with more than one sentence or,
- (c) a prisoner in whose case the Local Government has passed an order forbidding his release without reference to it,

has earned such remission as would entitle him to release but for the provisions of this rule, the Superintendent shall report accordingly to the Local Government in order that his case may be considered with reference to section 401 of the Code of Criminal Procedure, 1898.<sup>2</sup>

21. Save as provided by rule 20, when a prisoner has earned such remission as entitles him to release, the Superintendent shall release him.

<sup>2</sup> NOTE TO RULES 20 and 21.—The intention of these rules is (a) that the cases of class I life-convicts, of class II or class III life-convicts who have more than one sentence for offences committed either before their admission to jail or while in jail, and of any other life-convicts in whose cases the Local Government may have deemed it desirable, should be submitted for the special orders of the Local Government as to whether release should be granted, and if so, on what conditions (such conditions must, it should be noted, be prescribed by order under section 401, Code of Criminal Procedure); and (b) that all other convicts should, on the expiry of their sentences less the periods of remission earned, be released unconditionally without any special orders from the Local Government.

22. When a prisoner is released under rule 21, the total amount of remission earned by him shall be endorsed on his warrant, and the endorsement shall be signed by the Superintendent.

23. When a prisoner is transferred to another jail, the total amount of remission earned by him up to the end of the preceding quarter shall be endorsed on his warrant and entered on his history-ticket, these entries being signed by the Superintendent.

The receiving jail shall be responsible that the above information is duly obtained. Each jail at which a prisoner serves a portion of his sentence shall be held responsible for the correct calculation of the remission earned in that jail.

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<sup>1</sup> Substituted by Resolution No. 234—245, dated the 12th July, 1910 (not published in the gazette).

<sup>2</sup> Genl. Acts, Vol. V.

<sup>3</sup> See footnote 1. on p. 231.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE PRISONS ACT, 1894 (IX OF 1894).**

**Prison-offences—*contd.***

24. Remission sheets (or cards) shall be retained in the office of a jail for a period of one year after the release of the prisoner to whom they relate or his transfer to another jail.

*Part V.—The use of arms against any prisoner or a body of prisoners in the case of an outbreak or attempt to escape [clause (6)].*

1. Any officer of the prison may use a sword, bayonet, fire-arm or any other weapon against any prisoner escaping or attempting to escape: Provided that resort shall not be had to the use of any such weapon unless such officer has reasonable ground to believe that he cannot otherwise prevent the escape.

2. Any officer of the prison may use a sword, bayonet, fire-arm or any other weapon on any prisoner engaged in any combined outbreak or in any attempt to force or break open the outer gate or enclosure wall of the prison, and may continue to use such weapon so long as such combined outbreak or attempt is being actually prosecuted.

3. Any officer of the prison may use a sword, bayonet, fire-arm or any other weapon against any prisoner using violence to any officer of the prison or other persons: Provided that such officer has reasonable ground to believe that the officer of the prison or other person is in danger to life or limb, or that other grievous hurt is likely to be caused to him.

4. Before using fire-arms against a prisoner under the authority conveyed in rule (1) of this Part, the officer of the prison shall give a warning to the prisoner that he is about to fire on him.

5. No officer of the prison shall, in the presence of his superior officer, use arms of any sort against a prisoner in the case of an outbreak or attempt to escape except under the orders of such superior officer.

[Not published in Gazette.]

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**Rules to regulate the punishment of whipping in jails.**

*No. P.-503-3—22, dated the 27th December, 1923.*—In exercise of the power conferred by clauses (3) and (9) of section 59 of the Prisons Act, 1894 (IX of 1894), the Governor General in Council is pleased to make the following rules to regulate the punishment of whipping in jails namely:—

1. The punishment of whipping shall be inflicted only for mutiny or for conduct seriously affecting the discipline of the prison or for incitement thereto, for serious assaults on any public

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE PRISONS ACT, 1894 (IX OF 1894).****Rules to regulate the punishment of whipping in Jails—*contd.***

servant or visitor or after other punishments have failed for other offences of a specially grave nature.

2. A special report, based on the record required by section 51 of the Prisons Act, 1894, to be made in the punishment book in every case in which whipping has been inflicted, shall be promptly submitted to the Inspector General of Prisons by the Superintendent of the Jail.
3. The punishment of whipping shall not be inflicted on special class prisoners except with the permission of the Local Government.

[See Gazette of India, 1923, Pt. I, p. 1751.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE REPEALING AND AMENDING (ARMY) ACT, 1894 (XIII of 1894).

Date of operation of Act.

*No. 1019, dated the 2nd November, 1894.*—In exercise of the powers conferred by section 1, sub-section (2), of the Repealing and Amending (Army) Act (XIII of 1894), the Governor General in Council is pleased to appoint the first day of April, 1895, as the date on which the said Act shall come into force.

[See Gazette of India, 1894, Pt. I, p. 603.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE REFORMATORY SCHOOLS ACT, 1897 (VIII OF 1897).****Reception of youthful offenders in the Reformatory School at Delhi.**

*No. 824, dated the 8th July, 1922.*—In exercise of the powers conferred by sub-section (1) of section 15 of the Reformatory Schools Act, 1897 (VIII of 1897), and in supersession of the notification of the Government of India in the Home Department No. 130, dated the 9th March 1906, the Governor-General in Council is pleased to direct that the Reformatory School at Delhi shall be available for the reception of youthful offenders directed to be sent to it by any Court or Magistrate in British Baluchistan or in the territories administered by the Agent to the Governor-General in Baluchistan as such Agent.

[See Gazette of India, 1922, Pt. I, p. 848.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE LEPERS ACT, 1898 (III of 1898).**

**Segregation of lepers.**

*No. 2467-G., dated the 25th September, 1919.*—In exercise of the power conferred under section 19 of the Lepers Act, 1898 (III of 1898), the Governor General in Council is pleased to direct that any leper or class of lepers, with respect to whom an order for segregation and medical treatment has been made by a Magistrate having jurisdiction within the Feudatory States of Orissa named below, may be sent to the Leper Asylum at Cuttack.

1. Athgarh.	13. Kalahandi.
2. Athmallik.	14. Mayurbhanj.
3. Bamra.	15. Narsingpur.
4. Baramba.	16. Nayagarh.
5. Baud.	17. Nilgiri.
6. Bonai.	18. Pal Lahara.
7. Daspalla.	19. Patna.
8. Dhenkanal.	20. Ranpur.
9. Gangpur.	21. Rairakhol.
10. Hindol.	22. Sonpur.
11. Keonjhar.	23. Talcher.
12. Khandpara.	24. Tilgiria.

[See Gazette of India, 1919, Pt. I, p. 1931.]



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CRIMINAL PROCEDURE, 1898 (V OF 1898).**

**Officers authorised to issue instructions under the Act in regard to certain accused persons.**

*No. 1217, dated the 31st August, 1923.*—In pursuance of sub-section (2) of section 526A of the Code of Criminal Procedure, 1898 (Act V of 1898), the Governor General in Council is pleased to declare the officers specified in the first column of the following Table to be the competent authorities for the purpose of issuing instructions under sub-section (1) of the said section in regard to the classes of cases specified in the corresponding entries in the second column:—

*The Table.*

His Excellency the Naval Commander-in-Chief of His Majesty's Ships and Vessels, East Indies Station.	Cases in which a person subject to the Naval Discipline Act is accused.
The General Officer Commanding-in-Chief, Northern Command.	Cases in which a person subject to the Army Act serving under the command of the General Officer Commanding-in-Chief, Northern Command, is accused.
The General Officer Commanding-in-Chief, Southern Command.	Cases in which a person subject to the Army Act serving under the command of the General Officer Commanding-in-Chief, Southern Command, is accused.
The General Officer Commanding-in-Chief, Eastern Command.	Cases in which a person subject to the Army Act serving under the command of the General Officer Commanding-in-Chief, Eastern Command, is accused.
The General Officer Commanding-in-Chief, Western Command.	Cases in which a person subject to the Army Act serving under the command of the General Officer Commanding-in-Chief, Western Command, is accused.
His Excellency the Commander-in-Chief in India.	Cases in which a person subject to the Army Act, other than a person serving under the command of the General Officer Commanding-in-Chief, Northern, Southern, Eastern or Western Command, is accused.
The Air Officer Commanding, Royal Air Force in India.	Cases in which a person subject to the Air Force Act is accused.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CRIMINAL PROCEDURE, 1898 (V OF 1898).

#### Trial of persons subject to Military Law.

*No. 817-F., dated the 23rd May, 1902.*—In exercise of the powers conferred by section 549, sub-section (1) of the Code of Criminal Procedure, 1898 (Act V of 1898), and in supersession of the Notification of the Government of India in the Home Department, No. 1222, dated the 27th July, 1887, the Governor General in Council is pleased to make the following rules as to cases in which persons subject to military law shall be tried by a Court to which the said Code applies, or by a court-martial, namely:

- (1) Where a person subject to military law is brought before a Magistrate and charged with an offence for which he is liable under the Army Act, section 41, to be tried by a court-martial, such Magistrate shall not proceed to try such person, or to issue orders for his trial by a jury; or to inquire with a view to his commitment for trial by the Court of Session or the High Court for any offence triable by such Court, unless—
  - (a) he is of opinion, for reasons to be recorded, that he should so proceed without being moved thereto by competent military authority, or
  - (b) he is moved thereto by such authority.
- (2) Before proceeding under rule 1, clause (a), the Magistrate shall give notice to the Commanding Officer of the accused and, until the expiry of a period of <sup>1</sup>[five] days from the date of the service of such notice, he shall not—
  - (a) acquit or convict the accused under section 243, 245, 247 or 248 of the Code of Criminal Procedure, 1898 (Act V of 1898), or hear him in his defence under section 244; or
  - (b) frame in writing a charge against the accused under section 254; or
  - (c) make an order committing the accused for trial by the High Court or the Court of Session under section 213 or 214; or
  - (d) issue orders under section 451, sub-section (2), for the trial of the accused by jury.
- (3) Where within the period of <sup>1</sup>[five] days mentioned in rule 2, or at any time thereafter before the Magistrate has done any act or issued any order referred to in rule 2, clauses (a)

<sup>1</sup> Substituted for "fifteen" by Notification No. 1630, dated 11th September, 1903, *see* Gazette of India, 1903, Pt. I, p. 838.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE CODE OF CRIMINAL PROCEDURE, 1898 (V OF 1898).

Trial of persons subject to Military Law—*contd.*

to (d), the Commanding Officer of the accused gives notice to the Magistrate that, in the opinion of competent military authority, the accused should be tried by a court-martial, the Magistrate shall stay proceedings and, if the accused is in his power or under his control, shall deliver him, with the statement prescribed by section 549, to the authority specified in the said section.

- (4) Where a Magistrate has been moved by competent military authority under rule 1, clause (b), and the Commanding Officer of the accused subsequently gives notice to such Magistrate that, in the opinion of such authority, the accused should be tried by a court-martial, such Magistrate, if he has not, before receiving such notice, done any act or issued any order referred to in rule 2, clauses (a) to (d), shall stay proceedings, and, if the accused is in his power or under his control, shall in the like manner deliver him, with the statement prescribed in section 549, to the authority specified in the said section.
- (5) Where an accused person, having been delivered by the Magistrate under rule 3 or 4, is not tried by a court-martial for the offence of which he is accused, or other effectual proceedings are not taken, or ordered to be taken, against him, the Magistrate shall report the circumstance—
- (a) in cases occurring in the Province of Madras or Bombay, to the Local Government; and,
  - (b) in all other cases, through the Local Government to the Governor General in Council.

[See Gazette of India, 1902, Pt. I., p. 383.]

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.

*No. 2883—45, dated the 26th April, 1913.*—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), as amended by the Indian Post Office (Amendment) Act, 1912 (III of 1912), and in supersession of all previous notifications under that Act (hereinafter referred to as “the Act”), the Governor General in Council is pleased to issue the following rules and orders:—

### PART I.—RATES OF POSTAGE.

#### I.—INLAND POSTAL ARTICLES.

1. The following rates of postage shall be chargeable on postal articles where the postage is prepaid:—

##### *Letters.*

<sup>1</sup> [For a weight not exceeding two and a half tolas . . . . .]	One anna.
For every two and a half tolas, or fraction thereof, exceeding two and a half tolas . . . . .	One anna.

##### *Postcards.*

For a single postcard <sup>1</sup> . . . . .	Half an anna.
For a reply postcard . . . . .	One anna, that is, half an anna for each portion of the reply post card.]

##### *Book, pattern and sample packets.*

<sup>2</sup> [For every five tolas or fraction thereof . . . . .]	Half an anna.]
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##### *Blind Literature packets.*

<sup>3</sup> [For a packet not exceeding forty tolas in weight . . . . .]	Half an anna.
For a packet exceeding forty tolas but not exceeding two hundred tolas in weight . . . . .	One anna.
For a packet exceeding two hundred tolas but not exceeding two hundred and fifty tolas in weight . . . . .	Two annas.]

##### *Registered newspapers.*

<sup>2</sup> [For a weight not exceeding eight tolas . . . . .]	Quarter of an anna.
For a weight exceeding eight tolas but not exceeding twenty tolas . . . . .	Half an anna.
For every twenty tolas or fraction thereof exceeding twenty tolas . . . . .	Half an anna.]

<sup>1</sup> Substituted by Notification No. 727-P. W., dated 1st April 1922, see Gazette of India, 1922, Pt. I, p. 346.

<sup>2</sup> Substituted by Notification No. 2754, dated 2nd April, 1921, see Gazette of India, 1921, Pt. I, p. 521.

<sup>3</sup> Substituted by Notification No. 334-P. W., dated 17th September, 1921, see Gazette of India, 1921, Pt. I, p. 1271.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

#### *Parcels.*

##### <sup>1</sup>[(a) *Parcels not exceeding 440 tolas in weight—*

For a parcel not exceeding twenty tolas in weight . . . . .	Two annas.
For a parcel exceeding twenty tolas but not exceeding forty tolas in weight . . . . .	Three annas.
For every additional forty tolas or part of that weight . . . . .	Three annas.

##### *(b) Parcels exceeding 440 tolas but not exceeding 800 tolas in weight—*

For a parcel exceeding 440 tolas, but not exceeding 480 tolas in weight . . . . .	Three rupees.
For every additional forty tolas or part of that weight . . . . .	Four annas.]

<sup>2</sup>[NOTE 1.—For a postal article intended for transmission by Air service between Karachi and Bombay, a fee of eight annas shall be chargeable for every two and a half tolas or part of that weight, in addition to the ordinary postage.]

NOTE <sup>2</sup>[2].—The expression “Inland” shall not apply to postal articles other than parcels and official articles when—

- (i) posted in British India and addressed to any of the undermentioned places for which post offices have been established by the Governor General in Council beyond the limits of British India, namely:—

<sup>3</sup>	(5) Mohammerah.
(1) Bandar Abas.	(6) Chahbar. <sup>4</sup>
<sup>3</sup>	(7) Henjam.
(2) Busrah.	(8) Ahwaz. <sup>5</sup>
(3) Jask.	(9) Abadan. <sup>6</sup>
(4) Linga.	

- (ii) posted at any of the post offices established by the Governor General in Council at those places and addressed to any other of those places or to any place in British India.

<sup>1</sup> Substituted by Notification No. 2335, dated 3rd May, 1919, see Gazette of India, 1919, Pt. I, p. 943.

<sup>2</sup> The original note was re-numbered (2) and note (1) was inserted by Notification No. 4-D., dated 3rd January, 1920, see Gazette of India, 1920, Pt. I, p. 16.

<sup>3</sup> The names of the places “Baghdad” and “Bushire” were omitted by Notification No. 773—14, dated 30th January, 1915, see Gazette of India, 1915, Pt. I, p. 213.

<sup>4</sup> Inserted by Notification No. 2256—24, dated 4th April, 1914, see Gazette of India, 1914, Pt. I, p. 842.

<sup>5</sup> This place was added by Notification No. 38, dated 8th January, 1916, see Gazette of India, 1916, Pt. I, p. 51.

<sup>6</sup> This place was added by Notification No. 10749, dated 4th November, 1916, see Gazette of India, 1916, Pt. I, p. 1673.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

On such articles the following rates of postage shall be chargeable when the postage is prepaid:—

#### *Letters.*

<sup>1</sup>[For a letter not exceeding one ounce in weight . . . Three annas.  
For every additional ounce or part of that weight . . . One-and-a-half annas.]

#### *Postcards.*

<sup>1</sup>[For a single postcard . . . One-and-a-half annas.  
For a reply postcard . . . Three annas.]

#### *Printed papers (including newspapers and books).*

For a packet not exceeding two ounces in weight . . . Half an anna.  
For every additional two ounces or part of that weight . . . Half an anna.

#### *Business papers (legal and commercial documents).*

<sup>1</sup>[For a packet not exceeding ten ounces in weight . . . Three annas.  
For every additional two ounces or part of that weight . . . Half-an-anna.]

#### *Samples.*

For a packet not exceeding four ounces in weight . . . One anna.  
For every additional two ounces or part of that weight . . . Half an anna.

2. The following rates of postage shall be chargeable on the delivery of postal articles where the postage is not prepaid or is insufficiently prepaid:—

<sup>2</sup>[When the postage is not prepaid . . . Double the prepaid rate.  
When the postage is insufficiently prepaid . . . For a period of one month from the 18th April, 1921, the amount of the deficiency, and thereafter double the deficiency.]

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<sup>1</sup> Substituted by Notification No. 52-P. W., dated 13th August, 1921, see Gazette of India, 1921, Pt. I, p. 1103.

<sup>2</sup> Substituted by Notification No. 2754, dated 2nd April, 1921, see Gazette of India, 1921, Pt. I, p. 521.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

#### II.—FOREIGN POSTAL ARTICLES.

3. The following are declared to be the rates of postage chargeable on postal articles where the postage is prepaid:—

##### *Letters.*

*For the United Kingdom and the following British Possessions and Protectorates.*

<sup>1</sup>[Ascension.  
Australia [including New South Wales, Queensland, South Australia, Tasmania, Victoria, and Western Australia; also Papua (British New Guinea), and Norfolk Island].  
Bahamas.  
Barbados.  
Bermuda.  
British East Africa and Uganda.  
British Guiana.  
British Honduras.  
British North Borneo.  
British Solomon Islands Protectorate.  
British Somaliland.  
British South Africa including Cape of Good Hope, British Bechuanaland, Natal, Orange Free State, Transvaal, Basutoland, Bechuanaland Protectorate, Rhodesia, Swaziland.  
Brunei.  
Canada.  
Cayman Islands.  
China <sup>2</sup>[Territory of Wei-hai-wes].  
Cyprus.  
Falkland Islands.  
Fanning Island.  
Fiji Islands.  
Friendly (or Tonga) Islands.  
Gambia.  
Gibraltar.  
Gilbert and Ellice Islands Protectorate.  
Gold Coast.  
Grenada.  
Hongkong.  
Jamaica.  
Labuan.  
Leeward Islands including—Antigua, Dominica, Montserrat, Nevis, St. Kitts, Tortola (Virgin Islands).

Malay States:—(*viz.*, Negri Sembilan, Pahang, Perak, Selangor, Johore, Kedah, Kelantan, Perlis and Trengganu).  
Malta.  
Mauritius.  
Morocco (British Agencies in).  
Newfoundland.  
New Hebrides (including Banks and Torres Islands).  
New Zealand (with Cook Islands).  
Nigeria (Northern and Southern).  
Nyasaland Protectorate (British Central Africa).  
St. Helena.  
St. Lucia.  
St. Vincent.  
Sarawak.  
Seychelles.  
Sierra Leone.  
Straits Settlements.  
Trinidad and Tobago.  
Tristan d'Acunha.  
Turks and Caicos Islands.  
Zanzibar.]  
<sup>2</sup>[Samoa, New Guinea (except Dutch New Guinea), the Bismarck Archipelago (comprising New Britain, New Ireland, New Hanover Admiralty Islands, etc.), the island of Nauru in the Marshall Islands, the islands of Bougainville and Buka in the Solomon Islands, and the Districts of Lomeland, Misahöhe, Kette-Krachi as well as the part of the Mangu-Yendi District forming the Dagomba Country in Togo.]

<sup>1</sup> Substituted by Notification No. 9107—115, dated 12th September, 1914, *see* Gazette of India, 1914, Pt. I, p. 1421, and supplement.

<sup>2</sup> Substituted by Notification No. 302-P. & T., dated 13th January, 1917, *see* Gazette of India, 1917, Pt. I, p. 96.

<sup>3</sup> Added by Notification No. 5517—72, dated 8th May, 1916, *see* Gazette of India, 1916, Pt. I, p. 654, and supplement.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

#### *For Egypt (including the Soudan).*

<sup>1</sup>[For a letter not exceeding one ounce in weight Two annas.  
For every additional ounce or part of that weight One-and-a-half annas.]

#### *For any other part of the world served by the Foreign Post with the exception of Ceylon and Portuguese India.*

<sup>1</sup>[For a letter not exceeding one ounce in weight Three annas.  
For every additional ounce or part of that weight One-and-a-half annas.]  
*For Ceylon* . . . . . Indian inland rates.  
*For Portuguese India* . . . . . Indian inland rates.

#### *Postcards.*

#### *For any part of the world served by the Foreign Post with the exception of Ceylon and Portuguese India.*

<sup>1</sup>[For a single postcard . . . . . One-and-a-half annas.  
For a reply postcard . . . . . Three annas.]  
*For Ceylon* . . . . . Indian inland rates.  
*For Portuguese India* . . . . . Indian inland rates.

#### *Printed papers (including newspapers and books).*

#### *For any part of the world served by the Foreign Post with the exception of Ceylon and Portuguese India.*

For a packet not exceeding two ounces in weight Half an anna.  
For every additional two ounces or part of that weight . . . . . Half an anna.  
*For Ceylon* . . . . . Indian inland rates.  
*For Portuguese India* . . . . . Indian inland rates.

<sup>2</sup>[*Blind Literature packets.*]

<sup>3</sup>[For a packet not exceeding two pounds in weight . . . . . Half an anna.  
For every additional two pounds up to six pounds Half an anna.  
For a packet exceeding six pounds and up to six pounds and eight ounces . . . . . Two annas.]

<sup>1</sup> Substituted by Notification No. 52-P. W., dated 13th August, 1921, see Gazette of India, 1921, Pt. I, p. 1103.

<sup>2</sup> This heading was added by Notification No. 9016—90, dated 9th June, 1915, see Gazette of India, 1915, Pt. I, p. 789.

<sup>3</sup> These rates were substituted by Notification No. 57-P. T., dated 12th September, 1925, see Gazette of India, 1921, Pt. I, p. 815.



INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

*Business papers (legal and commercial documents).*

For a packet not exceeding twelve ounces in weight	Three annas.
For every additional two ounces or part of that weight	Half an anna.]
For Ceylon	Indiau inland rates.
For Portuguese India	Indian inland rates.

For a packet not exceeding four ounces in weight	One auna.
For every additional two ounces or part of that weight	Half an anna.
For Ceylon :	Indian inland rates.
For Portuguese India :	Indian inland rates.

For Ceylon . . . . . Indian inland rates.

In the case of Ceylon the Indian inland rates of postage shall be applicable, provided that prepayment of postage, and registration, shall be compulsory.

Eight annas for every ounce or part of an ounce for an article posted in India.  
One shilling for every ounce or part of an ounce for an article posted in the  
- United Kingdom.]

Two and-a-half annas per ounce on each article marked "Par Avion Cairo-Baghdad."

Two and-a-half annas per ounce on each letter or post-card marked "By overland mail Baghdat-Haifa."

Six pies per ounce on each packet of printed papers, business papers or samples marked "By overland mail Baghdad-Haifa."

The prepayment of these fees shall be compulsory.]

<sup>1</sup> These rates were substituted by Notification No. 52-P. W., dated 13th August, 1921, see Gazette of India, 1921, Pt. I, p. 1103, and Notification No. 57-P. T., dated 12th September 1925, see Gazette of India, 1925, Pt. I, p. 1054.

<sup>2</sup> This note was inserted by Notification No. 4-D., dated 3rd January, 1920, see Gazette of India, 1920, Pt. I, p. 16.

<sup>a</sup> Substituted by Notification No. 57-P. T., dated 24th October 1925, see Gazette of India, 1925, Pt. I, p. 1054.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

4. <sup>1</sup>[1] The following are declared to be the rates of postage chargeable on the delivery of postal articles, other than parcels received by the Foreign post, where the postage is not prepaid or is insufficiently prepaid:—

When the postage is not prepaid . . . . . Double the prepaid rate.

When the postage is insufficiently prepaid . . . . . Double the deficiency.

<sup>2</sup>[Provided that the postage actually charged shall in no case be less than one anna.]

<sup>3</sup>[(2) For clearance through the Customs, a fee of four annas recoverable from the addressee shall be levied on all foreign parcels and foreign letters imported by post into British India on which import Customs duty is payable.]

## PART II.—MAIN CONDITIONS OF TRANSMISSION BY POST OF POSTAL ARTICLES.

### I.—INLAND POSTAL ARTICLES.

#### *Letters.*

<sup>4</sup>[4-A. Letters may be transmitted by post with or without prepayment of postage. Unpaid letters, with or without covers, shall be securely closed by the senders, and any such letter posted without having been securely closed shall be forwarded for disposal to the office of the Postmaster General to be destroyed forthwith in accordance with rule 177.

4-B. The reply-halves of reply-paid cards cannot be registered by the original senders of such cards.]

#### *Postcards.*

5. Single and reply cards of private manufacture may be transmitted by post as postcards:

Provided that—

(a) the postage is prepaid in full by means of adhesive postage stamps affixed to them,

<sup>1</sup> Rule 4 was re-numbered as 4 (1), and sub-rule 4 (c) was added by Notification No. 3173, dated 24th May, 1919, *see* Gazette of India, 1919, Pt. I, p. 1067.

<sup>2</sup> This proviso was substituted by Notification No. 57-P. T., dated 24th October, 1925, *see* Gazette of India, 1925, Pt. I, p. 891.

<sup>3</sup> Sub-rule 2 was substituted by Notification No. 57-P. T., dated 26th September, 1925, *see* Gazette of India, 1925, Pt. I, p. 891.

<sup>4</sup> Added by Notification No. 4988-67, dated 28th June, 1913, *see* Gazette of India, 1913, Pt. I, p. 663.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

#### *Rules as to rates of postage, money orders, insurance, etc.—contd.*

- (b) as regards size, they are not more than  $5\frac{1}{2}$  by  $3\frac{1}{2}$  inches or less than  $4\frac{3}{4}$  by 3 inches, and
- (c) as regards substance, they are neither thinner nor more flexible than the inland postcards issued by the Post Office.

6. (1) All reply postcards of private manufacture shall display the title "Postcard" on the address-side, but this title is not obligatory for single cards of private manufacture. Reply-halves of reply-paid cards shall bear the words "Postcard" and "Reply." Whatever is printed on the address-side of inland or international official postcards issued by the Post Office is also permissible on the address-side of cards of private manufacture.

(2) A postcard shall not be folded, cut, or otherwise altered, except that the impressed postage stamp (if any) may be perforated with initials; nor may a postcard be enclosed in a cover of any kind.

(3) The right-hand half of the address-side of a postcard is in all cases reserved for the address of the recipient, for the postage stamp necessary for prepayment, which should, so far as possible, be affixed in the upper right-hand corner, and for the postal directions "Registered" and "Acknowledgment due," but the left-hand half of the address-side, as well as the back, may be used by the sender for the purpose of a written communication, or may be otherwise disposed of, subject to the restrictions mentioned in clause 4 of this rule.

[NOTE 1.—Although the vertical line drawn on the address-side of the inland postcards issued by the Post Office, bearing the portrait of His Majesty King George V on the impressed stamp, does not divide that side into two equal parts, the divisions so made shall be taken to represent the "right-hand half of the address-side" and the "left-hand half of the address-side" for the purpose of this rule.]

NOTE [2].—A small space marked off by fine lines or minute dots to indicate the place where the postage stamp should be affixed is allowed on the upper right-hand corner of the address-side of postcards.

(4) Nothing shall be attached to a postcard except—

- (a) stamps in payment of postage or stamp duty;
- (b) a gummed label [not to exceed 2 inches (in length) and  $\frac{3}{4}$  inch (in width)], bearing the name and address of the person to whom the card is sent;
- (c) a similar label, bearing the name and address of the sender of the card; and
- (d) engravings, illustrations, drawings, and photographs on very thin paper and completely adherent to the card.

<sup>1</sup> This note was inserted and the original note numbered 2 by Notification No. 484-C., dated 17th January, 1914, see Gazette of India, 1914, Pt. I, p. 49.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**INDIAN POST OFFICE ACT, 1898 (VI OF 1898).**

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

Stamps in payment of stamp duty may be affixed only to the back of the postcard. The articles specified in clauses (c) and (d) may be affixed either to the back or the left-hand half of the address-side.

7. Should a postcard be posted without the postage having been prepaid in full, it shall be forwarded to the office of the Postmaster General to be destroyed forthwith. Should either portion of a reply postcard be posted without the postage having been prepaid, that portion shall be forwarded to the office of the Postmaster General to be destroyed forthwith. Should any of the other conditions imposed by rules 5 and 6 be infringed, the postcard shall be treated as a letter.

*Book packets.*

8. (1) A book packet may contain any of the following articles:—

- (a) newspapers and publications of all kinds; books, whether blank or printed; engravings, photographs, drawings, plans, maps, printed music, and proof sheets with or without the manuscript relating thereto; blank paper, parchment, or card-board; and, generally, anything on paper, parchment, or card-board which is printed, engraved, lithographed, papyrographed, or produced by any other mechanical process easy to recognise, except the copying press and the typewriter:

Provided that no card bearing the heading "Postcard" shall be allowed to be transmitted open by post as a book packet;

- (b) business papers, written or drawn wholly or partly by hand, not being of the nature of a letter or having the character of a personal communication, such as deeds, bills of lading, invoices, accounts, proposals and policies of assurance, power-of-attorney, licenses, statistical returns submitted by or to public officers in their official capacities, and manuscript of all kinds, including manuscript music, not being of the nature of personal correspondence;

- (c) written letters of old date which have previously passed through the post and served their original purpose;

- <sup>1</sup>[(d) documents wholly or partly printed in imitation of typewriting, or reproduced from a manuscript or typewritten original by any mechanical process of polygraphy such as chromography, mimeography, provided that (i) they are handed in at the Post Office counter or window, (ii) special atten-

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<sup>1</sup> Substituted by Notification No. 3370—42, dated 19th May, 1914, see Gazette of India, 1914, Pt-I, p. 962.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

tion of the counter or window clerk is drawn to the fact that they are documents of the kind mentioned in this sub-clause and (iii) at least 20 precisely identical copies are posted at the same time.]

- (e) circulars, *i.e.*, printed notices and printed letters, provided they contain nothing in writing except (a) corrections of press errors, (b) the date of despatch and the name and address and description of the sender, and the name of the addressee, and (c) the place, date, and hour, when the circular is a notice of meeting, or appointment, and in the case of a notice of meeting the objects of the meeting.

[NOTE.—By “printing” is meant any species of type-printing easy to recognise, lithography, hand-stamping or any mechanical process ordinarily used to produce a number of identical copies of written matter, and easy to recognise.

“Writing” includes typewriting and any mechanical or other process ordinarily used to produce a single document.]

(2) With any of the abovementioned articles may be sent anything that is necessary for their safe transmission through the post, such as rollers, etc., and with any of the articles mentioned in clause (a) may be sent any legitimate binding, mounting, or covering, loose or attached, and anything that ordinarily appertains to such articles, as pens and pencils in the case of a pocket-book, photographs in the case of a photograph-book, and card-plates in the case of visiting cards.

(3) Manuscripts for the press shall not be reckoned as having the character of personal correspondence within the meaning of clause (b), and may be sent as a book packet.

9. No communication of the nature of a letter, or having the character of a personal communication, shall be enclosed with, or written upon, the contents of a book packet:

Provided that nothing in this rule shall be held to prohibit inscriptions or entries stating who the sender is or to whom the articles are to be given, or to prohibit purely complimentary greetings from being entered, in writing or otherwise, on Christmas, New Year, and Birthday cards and similar articles.

10. A book packet shall not contain “paper money,” which for the purposes of this rule includes unobliterated postage or other stamps, currency notes, hundies, cheques, bank-notes, bank post bills, bills of exchange, and all orders or authorities for the payment of money.

*Explanation.*—This rule shall not apply to a book packet containing a stamped and addressed envelope, postcard, or wrapper, forwarded by the sender of the packet in order that such envelope, card, or wrapper may

<sup>1</sup> Added by Notification No. 3370-42, dated 19th May, 1914, *see* Gazette of India, 1914, Pt. I, p. 962.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

be returned through the post to the sender or sent to some other person designated by him.

11. The dimensions of a book packet, which may be of any shape, shall not exceed two feet in length by one foot in width and one foot in depth. When, however, the packet is in the form of a roll, the length shall not exceed thirty inches:

Provided that, if the length exceeds twenty-four inches (two feet), the diameter shall not exceed four inches.

12. A book packet shall be posted without a cover, or in an unfastened envelope, or in a cover which can be easily removed for the purpose of examination without breaking any seal or tearing any paper or separating any adhering surfaces. A packet posted without a cover may not be fastened or otherwise treated so as to prevent easy examination.

13. If a book packet is found to contain anything not permitted by the rules, or to be in excess of the prescribed size, or to be packed in a manner not in accordance with the rules, it shall be charged on delivery with letter or parcel postage, whichever may be less. Any postage stamps that may be affixed to it shall, however, be recognised in assessing the charge.

*Pattern packets.*

14. (1) A pattern packet may contain *bonâ fide* trade patterns or samples of merchandise not having any saleable value, together with, or without, any matter which may be sent as a book packet. There shall be no writing upon or in a pattern packet, except the name and address of the sender, the name and address of the person for whom it is intended, a trade mark, numbers, prices, and indications as to the weight, size, or quantity to be disposed of.

(2) Objects of natural history, dried or preserved animals and plants, geological specimens, and other similar objects shall also be admitted to transmission by post at the rates of postage for pattern packets, provided that they are not sent for a commercial purpose, and that they are packed in the manner prescribed for pattern packets generally.

15. The dimensions of a pattern packet shall not exceed two feet in length by one foot in width and one foot in depth; and the weight shall not exceed [two hundred tolas].<sup>2</sup>

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<sup>1</sup> Rule 12 was substituted by Notification No. 10933—124, dated 27th December, 1913, published in the Gazette of India, 1913, Pt. I, p. 1339.

<sup>2</sup> These words were substituted for the word "eighty" by Notification No. 9370—12, dated 8th November, 1913, see Gazette of India, 1913, Pt. I, p. 1030.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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INDIAN POST OFFICE ACT, 1898 (VI of 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

16. (1) A pattern packet shall be posted without a cover, or with a cover open at both ends, or in an unfastened envelope or other cover which can be easily removed so as to admit of a ready examination of the contents.

(2) Samples of seeds, drugs, and other articles which cannot be sent in unfastened or removable envelopes may be sent enclosed in boxes or bags, provided that they are fastened in such a way that they can be easily opened; they may also be sent in air-tight cases when necessary, provided that the nature of the contents is certified on the cover under the full signature and address of the sender.

(3) Articles of glass shall be securely packed (in boxes of metal, wood, leather, or card-board) in such a way as to prevent all risk of injury to the mails or to the officers of the post office.

(4) Liquids, oils, and fatty substances easily liquefied shall be enclosed in glass bottles hermetically sealed. Each bottle shall be placed in a wooden box furnished with saw-dust, cotton, or some spongy material in sufficient quantity to absorb the liquid in case the bottle be broken. Finally, the box itself shall be enclosed in a case of metal, or of wood with a screw top, or of strong and thick leather.

*Explanation.*—When use is made of perforated wooden blocks of the thickness of at least  $\frac{1}{16}$ th of an inch in the weakest part, with a sufficient quantity of absorbent material inside and provided with a cover, the blocks need not be enclosed in a second case.

(5) Fatty substances which are not easily liquefied, such as ointments, soft soaps, resins, etc., shall be enclosed in an inner cover (box, bag of linen or parchment, etc.), which shall itself be placed in a second box of wood, metal, or strong and thick leather.

(6) Dry powders, whether dyes or not, shall be placed in card-board boxes, which themselves shall be enclosed in a bag of linen or parchment.

(7) Live bees shall be enclosed in boxes so constructed as to prevent all danger and to allow the contents to be ascertained.

17. (1) If a pattern packet is found to contain anything not permitted by the rules, or to be in excess of the prescribed size or weight, or to be packed in a manner not in accordance with the rules, it shall be charged on delivery with letter or parcel postage, whichever may be less. Any postage stamps that may be affixed to it shall, however, be recognised in assessing the charge.

(2) If a packet containing samples of any of the articles mentioned in clauses (3) to (7) of rule 16 is not packed in the manner prescribed therein, it shall not be forwarded.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

*“Blind Literature” packets.*

<sup>1</sup>[17-A.—Papers of any kind, periodicals, and books impressed in “Braille” or other special type for the use of the blind, shall be transmitted by post as “blind literature” packets provided that they are posted in accordance with the following conditions:—

- (a) The packet shall consist only of articles specially impressed as described above for the use of the blind, and shall not contain any communication either in writing or printed in ordinary type, except the title and table of contents of the book or periodical, and any key to, or instructions for, the use of the special type, or any enclosure except a label for the return of the packet.
- (b) The packet shall bear on the outside the inscription “Literature for the Blind,” and the written or printed name and address of the sender.
- (c) The packet shall be posted either without a cover, or in a cover open at both ends which can easily be removed for the purpose of examination.
- (d) The dimensions of the packet shall not exceed two feet in length by one foot in width and one foot in depth; and the weight shall not exceed<sup>2</sup> [250] tolas.

<sup>1</sup>[17-B.—Should any of the conditions imposed by rule 17A be infringed, the packet (unless it is admissible as an ordinary packet) shall be charged on delivery with letter or parcel postage, whichever may be less. Any postage stamps that may be affixed to the packet shall, however, be recognised in assessing the charge.]

*Registered newspapers.*

18. (1) Newspapers as defined in section 9 of the Act shall be transmitted by post as registered newspapers, provided that they are posted in accordance with the following conditions:—

- (a) The newspaper shall be registered in the office of the Postmaster General, or officer exercising the powers of the Postmaster General, of the postal circle in which it is published.

\* \* \* \* \*<sup>4</sup>[The \* \* \* \* \* application for

<sup>1</sup> Added by Notification No. 579—35, dated 19th February, 1916, see Gazette of India, 1916, Pt. I, p. 192.

<sup>2</sup> This figure was substituted for the figure “240” by Notification No. 578-P. W., dated 1st October, 1921, see Gazette of India, 1921, Pt. I, p. 1339.

<sup>3</sup> Omitted by Notification No. 282-P. W., dated 17th February, 1923, see Gazette of India, 1923, Pt. I, p. 151.

<sup>4</sup> Substituted by Notification No. 2245-P. W., dated 2nd December, 1922, see Gazette of India, 1922, Pt. I, p. 1410.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*****INDIAN POST OFFICE ACT, 1898 (VI OF 1898).****Rules as to rates of postage, money orders, insurance, etc.—*contd.***

the registration of a newspaper shall be accompanied by a certificate from the District, Presidency or Sub-divisional Magistrate within whose local jurisdiction the newspaper is printed or published or the printer or the publisher resides, that the declaration or declarations required by Section 5 of the Press and Registration of Books Act, 1867 (XXV of 1867), has or have been made, or in the case of a newspaper published in an Indian State, by a recommendation in writing from the Political Officer concerned in support of the application.]

- (b) The postage shall be prepaid by postage stamps.
  - (c) The newspaper shall bear in print immediately above the address the word "Registered" followed by the registration-number which shall be assigned to it by the Postmaster General or other officer referred to in condition (a).
  - (d) The newspaper shall be posted at the place of publication by the proprietor, manager, or publisher.
  - (e) The newspaper shall be posted without a cover or in a short cover open at the ends.
  - (f) There shall be no word printed on the newspaper after its publication or upon the cover (if any) thereof, nor shall any writing or mark be made upon it or upon the cover (if any) thereof, except the name and address of the person to whom it is sent, and, if desired, the name and address of the newspaper, or of the sender.
  - (g) There shall be no paper or thing enclosed in or with any such newspaper other than an extra or supplement as specified in section 9 of the Act.
- (2) Nothing in this rule shall be held to prevent newspapers being transmitted by post, either singly or otherwise, at the rates and under the conditions prescribed for book packets.

***Parcels.***

19. A parcel may contain one (but shall not contain more than one) written communication of the nature of a letter, or having the character of a personal communication:

Provided that the communication shall be addressed only to the addressee of the parcel itself.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

20. A parcel shall not exceed 440 tolas in weight, unless it is registered, in which case the weight shall not exceed 10 seers (800 tolas). A parcel shall not be of a kind which, owing to size, shape, manner of packing, or any other cause, cannot be carried by post without serious inconvenience or risk.

21. (1) A parcel shall be packed and enclosed in a reasonably strong case, wrapper, or cover, fastened in a manner calculated to preserve the contents from loss or damage in the post, to prevent any tampering therewith, and to protect other postal articles from being damaged in any way thereby.

(2) Liquids and substances which liquefy easily shall be despatched in a double receptacle. Between the first receptacle (bottle, flask, pot, box, etc.) and the second (which shall be a box of metal or of strong wood) some space shall be left to be filled with saw-dust, bran, or some other absorbing material.

(3) Live bees shall be enclosed in suitable cases and so packed as to prevent all risk of injury to other postal articles in course of transmission by post or to officers of the post office.

22. Human and other viscera may be transmitted by post to Chemical Examiners for analysis, subject to the following conditions:—

- (a) The suspected viscus or other material to be sent for examination shall be enclosed in a glass bottle or jar, fitted with a stopper or sound cork.
- (b) Great care shall be taken that the stopper or cork of the bottle fits tightly. This precaution is especially necessary when alcohol is used as a preservative; in such cases a ring of bee's wax or candle-wax shall be placed round the lip of the bottle so as to cover the shoulder of the stopper. The stopper shall be carefully fastened down with bladder or leather and sealed.
- (c) The glass bottle or jar shall then be placed in a strong wooden or tin box, which shall be large enough to allow of a layer of raw cotton, at least three-fourths of an inch thick, being placed between the bottle or jar and the box.
- (d) The box itself shall be encased in cloth, which shall be securely closed and sealed. The seals shall be at intervals not exceeding three inches along each seam. All the seals shall be of the same kind of wax, and shall bear distinct impressions of the same device. The device shall not be that of a current coin or merely a series of straight, curved or crossed lines.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

23. Cultures or other articles known or believed to contain the living germs of plague may be transmitted by the Inland post subject to the following conditions:—

- (a) Such cultures or other articles aforesaid shall not be accepted for transmission unless they are sent by a Commissioned Medical Officer, a Military Assistant Surgeon, or a Medical Practitioner in possession of a qualification not lower than that of L.M.S. of the University of Calcutta, the Punjab, Madras, or Bombay, or by a person specially permitted by the Governor General in Council or a Local Government to send such cultures or other articles; nor unless they are consigned to a Government Laboratory, or to a person specially permitted by the Governor General in Council, or a Local Government, to receive such cultures or other articles.
- (b) The cultures or other articles aforesaid shall be securely packed in a hermetically closed tin of adequate strength which shall be placed in a strong outer box of wood or tin with a layer of at least three-quarters of an inch of raw cotton wool between the inner and outer case.
- (c) The outer case shall be enclosed in a stout cloth, which shall be securely fastened and sealed and labelled with such distinguishing inscription as will suffice to make immediately manifest the nature of the contents.
- (d) The sender shall present the parcel at the post office accompanied by a declaration as to the nature of its contents, and a certificate signed by himself to the effect that he has advised the addressee of its despatch and that such addressee, if the parcel should not be addressed to a Government Laboratory, has been specially permitted by the Governor General in Council or a Local Government to receive such cultures or other articles. The certificate, moreover, shall show on its face that the sender is a person authorised within the meaning of clause (a) of this rule to send such cultures or other articles.

<sup>1</sup>[23A. Strong smelling articles (*e.g.*, assafoetida) shall be enclosed in a hermetically sealed case of tin or other metal.]

<sup>2</sup>[23B. Celluloid and articles made wholly or partly of celluloid, such as cinematograph and photographic films, shall be packed in a strong

<sup>1</sup> Rule 23A was inserted by Notification No. 766-D., dated 7th February, 1920, see Gazette of India, 1920, Pt. I, p. 275.

<sup>2</sup> Rule 23B was inserted by Notification No. 4017, dated 10th July, 1920, see Gazette of India, 1920, Pt. I, p. 1321.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

wooden box and a label bearing the word “Celluloid” in bold letters shall be affixed to the parcel.]

24. The postage on a parcel shall be fully prepaid by means of postage stamps which shall be affixed either to the cover of the parcel or to an official label which can be obtained free at the post office. In either case, the sender or his messenger shall affix the stamps himself, postal officials being strictly forbidden to affix them.

25. (1) Every parcel intended for transmission by post shall be presented at the window of the post office. Any parcel found in a letter-box shall be treated and charged as a registered parcel.

(2) If a parcel containing any of the articles mentioned in clauses (2) and (3) of rule 21 <sup>1</sup>[and in rules 22, 23, 23A] <sup>2</sup>[and 23B]<sup>2</sup> is not packed in the manner prescribed therein, it shall not be forwarded.

26. (1) Every parcel posted at or addressed to Aden; or Baghdad or Busrah, in Turkish Arabia; or Bandar Abas, Bushire, Jask, Linga, or Mohammerah, in Persia, shall be accompanied by a declaration in such form as may be, from time to time, prescribed by the Director General, containing a statement signed by the sender, as to the nature of its contents and their value.

(2) This rule shall apply also to parcels posted at or addressed to such other places as the Director General may, from time to time, notify in the *Post Office Guide*, as requiring declarations to be presented with them.

#### *Prohibited articles.*

<sup>3</sup>[27. (1) Gold coin or bullion or both of a value exceeding<sup>4</sup> [Rs. 700;] \* \* \* \* shall not be transmitted by post.

(2) The transmission of [gold or silver coin or bullion]<sup>6</sup> by post to and from Aden shall be subject to the same restrictions as are imposed on its transmission by the foreign parcel post.

(3) Gold or silver coin or bullion shall not be transmitted by post [to or]<sup>7</sup> from Duki, Loralai, Sinjawai or Fort Sandeman.

<sup>1</sup> These words and figures were inserted by Notification No. 766-D., dated 7th February, 1920, see *Gazette of India*, 1920, Pt. I, p. 275.

<sup>2</sup> These words were inserted by Notification No. 4017, dated 10th July, 1920, see *Gazette of India*, 1920, Pt. I, p. 1321.

<sup>3</sup> Rules 27 and 27-A were substituted for rule 27 by Notification No. 766-D., dated 7th February, 1920, see *Gazette of India*, 1920, Pt. I, p. 275.

<sup>4</sup> Substituted for the word and figures “Rs. 300” by Notification No. 90-P. T., dated 8th August 1925, see *Gazette of India*, 1925, Pt. I, p. 745.

<sup>5</sup> The words “and silver coin or bullion” were omitted by Notification No. 4804, dated 7th August, 1920, see *Gazette of India*, 1920, Pt. I, p. 1503.

<sup>6</sup> Substituted for the words “gold coin or gold bullion” by Notification No. 4804, dated 7th August, 1920, see *Gazette of India*, 1920, Pt. I, p. 1503.

<sup>7</sup> These words were inserted by Notification No. 2085-D., dated 13th March, 1920, see *Gazette of India*, 1920, Pt. I, p. 495.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

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(4) Circulars relating to lotteries shall not be transmitted by post.

(5) <sup>1</sup>[Pearls or gold or silver coin or bullion] shall not be transmitted by post from any of the British Indian post offices in the Persian Gulf.

<sup>2</sup>[(6) Postal articles of the Letter Mail landed in British India under arrangements in force with the United Kingdom or with any British Possession or foreign country for the transmission by post of postal articles between British India and the United Kingdom or such Possession or country shall not be transmitted by post within British India if they contain coin, bullion, precious stones, jewellery, articles of gold or silver or other articles liable to customs duty, unless and until the customs duty, if any, payable thereunder has been paid.]

<sup>3</sup>[27-A. If a postal article in course of transmission by post is actually found to contain any of the articles, the transmission of which by post is prohibited by rule 27, it shall be returned to the sender.]

*Re-direction of postal articles.*

28. (1) <sup>4</sup>Save as otherwise provided in rule 29-A, postal article re-directed to any place served by the Inland post by an officer of the post office or by an agent of the addressee after its delivery shall be transmitted by post free of charge in respect of such further transmission:

Provided that—

(a) in the case of an unregistered article re-directed by an agent of the addressee,—the article has not been opened and has been either returned to the postman or re-posted at the place of delivery; and

(b) in the case of a registered article re-directed by an agent of the addressee,—the article has not been opened and has been returned to the postman at the place of delivery with the receipt unsigned.

(2) Where a postal article is re-directed to any place under the first paragraph of this rule, the postmaster at such place may, if authorised by a general or special order in this behalf issued by the Postmaster General, require the addressee of the re-directed article to give, at the time of delivery, a receipt for such article.

29. A postal article re-posted after having been opened, or re-posted at any place other than the place at which it was delivered, shall be treated as a postal article posted for the first time, and charged with

<sup>1</sup> These words were substituted for the words "pearls or gold coin or bullion" by Notification No. 4804, dated 7th August, 1920, see Gazette of India, 1920, Pt. I, p. 1503.

<sup>2</sup> Inserted by Notification No. 284-P. W., dated 5th September, 1921, see Gazette of India, Extraordinary, 1921, p. 367.

<sup>3</sup> See footnote to rule 27, *supra*.

<sup>4</sup> These words were inserted by Notification No. 175-P. T.—23, dated 21st June, 1924, see Gazette of India, 1924, Pt. I, p. 563.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

postage accordingly. A registered article of which delivery has been taken can be re-posted only under the conditions prescribed for the posting of registered articles for the first time, except that, <sup>1</sup>[subject to the provisions of rule 29-A,] no fresh charge shall be made on account of postage if the article has not been opened.

<sup>1</sup>[29-A. A parcel redirected to any place served by the inland post shall, save where the original address and the substituted address are within the delivery area of the same post office or are within the same post town, be chargeable in respect of each re-direction with further postage amounting to half the pre-paid rate.]

### II.—FOREIGN POSTAL ARTICLES.

30. The Director General shall, from time to time, notify in the *Post Office Guide* the conditions in force for the transmission of postal articles by the foreign post:

Provided that the rules relating to inland registered newspapers shall be deemed to apply in the case of newspapers sent to Ceylon.

31. Every postal parcel handed to the post office for transmission by the foreign post shall be presented at the post office with a declaration, in such form as may be, from time to time, prescribed by the Director General, containing a statement signed by the sender as to the nature of its contents and their value. No such parcel shall be accepted if it is so small or so covered with writing or sealing-wax, or otherwise made up in such a manner, as to render it impracticable to affix to some part of it the form of declaration prescribed by the Director General in addition to the official labels to be applied to the address-side of the parcel.

*Explanation.*—This rule shall not apply to a parcel which has an address-label tied to it, provided that the label is not so small or so covered with writing as to render it impracticable to affix to one side of the label the form of declaration prescribed by the Director General in addition to the official labels to be applied to the address-side.

<sup>2</sup>[31-A. (1) Coin or bullion exceeding £5 in value, not being coin clearly intended for purposes of ornament shall not be transmitted within British India by the foreign letter or the foreign parcel post.

(2) If a postal article in course of transmission within British India by the foreign letter or the foreign parcel post is found to contain coin or bullion exceeding £5 in value, exclusive of coin clearly intended for purposes of ornament, it shall be returned to the sender.]

<sup>1</sup> Inserted by Notification No. 175-P. T.—23, dated 21st June, 1924, see *Gazette of India*, 1924, Pt. I, p. 583.

<sup>2</sup> Inserted by Notification No. 170-P. T., dated 29th August, 1925, see *Gazette of India*, 1925, Pt. I, p. 789.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

*Treatment of postal articles from abroad bearing fictitious or previously used stamps.*

32. Where a postal article has been received by post from any place beyond the limits of British India, bearing a fictitious or previously used postage stamp, and the addressee of such postal article has failed to attend, by himself or his agent, at the post office of delivery within the time specified in the notice sent to him in that behalf, or having so attended, has refused to make known the name and address of the sender or to re-deliver the postal article or such portion thereof as may be required under section 27 of the Act, and, in consequence of such failure or refusal, the postal article has not been delivered to the addressee or his agent, the postal article shall be disposed of in the following manner:—

The officer in charge of the post office at which the postal article has been received for delivery shall record a statement, in such form as the Director General shall prescribe, setting forth action taken by him under provisions of section 27 of the Act, and the fact of such failure or refusal as aforesaid on the part of the addressee or his agent; and shall forward the statement, together with the postal article, through the usual channel, to the Director General.

The Director General shall then, in due course, transmit the statement, together with the postal article, to the Postal Administration of the place beyond the limits of British India from which the article was received.

## PART III.—REGISTRATION OF POSTAL ARTICLES.

### I.—INLAND POSTAL ARTICLES.

33. Letters, postcards, book and pattern packets, <sup>1</sup>[parcels and newspapers prepaid with postage at newspaper rates of postage when sent as V. P. articles] may be registered at any post office for transmission by post to any other post office.

34. In addition to the postage, a fee of two annas shall be charged for the registration of any postal article.

35. The prepayment of the postage and registration fees shall be compulsory in the case of all registered articles, and shall be made by means of postage stamps affixed to the articles.

36. An article intended for registration shall be presented at the window of the post office. No such article shall be accepted for regis-

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<sup>1</sup> These words were substituted for the words "and parcels" by Notification No. 41-P. W., dated 14th January 1922, see Gazette of India, 1922, Pt. I, p. 23.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

tration if it is so small or so covered with writing or sealing-wax on the address-side, or otherwise made up in such a manner, as to render it impracticable to affix to the article the official labels prescribed by the Director General.

*Explanation.*—This rule shall not apply to an article which has an address-label tied to it, provided that the label is not so small or so covered with writing on the address-side as to render it impracticable to affix to that side the official labels prescribed by the Director General.

37. A receipt shall be given to the person who presents an article for registration at the post office window during the hours prescribed for posting registered articles.

38. No registered article shall be delivered to the addressee unless and until he or his agent has signed a receipt for it in such form as the Director General shall prescribe.

39. The sender of a registered article shall be entitled to obtain an acknowledgment of its delivery, signed by the addressee, by paying a fee of one anna, in addition to the postage and registration fee, at the time of posting the article. The fee for a special acknowledgment shall be paid by means of postage stamps affixed to the article.

40. The sender of a registered article may obtain an attested copy of the original receipt signed by the addressee on payment of a special fee of three annas, provided that he makes his application for it within six months of the date on which the addressee signed the original receipt.

41. (1) Registration shall be obligatory in the case of—

- (a) Any parcel exceeding 40 tolas in weight.
- (b) Any insured parcel.
- (c) Any parcel addressed to a place for which a customs declaration is required.
- (d) Any article containing postage or other stamps or labels or a cheque, hundi, bank-note, bank post bill, bill of exchange, or the like,—if the contents are either superscribed upon the cover or are known or manifest to the officers of the post office owing to the transparency, insecurity, or insufficiency of the cover, or to any other cause.
- (e) Any article bearing the word “registered” or any other word, phrase, or mark to the like effect written or impressed on the cover.
- (f) Any registered article which is re-posted after having been delivered.

*Exception.*—Nothing in this rule shall be held to render registration of a packet compulsory only by reason that it contains a stamped envelope, postcard, or wrapper as provided by the Explanation to rule 10.



## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

(2) Twice the fee for registration shall be levied on the delivery of any postal article required under this rule to be registered on which the fee for registration has not been prepaid.

### II.—FOREIGN POSTAL ARTICLES.

42. Letters, postcards, and packets may be registered at any post office for transmission to countries and places served by the foreign post, subject to such exceptions as the Director General shall, from time to time, notify in the *Post Office Guide*.

43. In addition to the postage, a further fee <sup>1</sup>\* \* \* shall be charged for the registration of any article to be sent by the foreign post. <sup>2</sup>[Such fee shall be two annas in the case of articles addressed to Ceylon or Portuguese India and three annas in the case of articles addressed elsewhere.]

44. The prepayment of the postage and registration fee on foreign registered articles shall be compulsory, and shall be made by means of postage stamps affixed to the articles.

45. Rules 36, 37, and 38, relating to the registration of inland postal articles, shall be equally applicable to registered articles sent or received by the foreign post.

46. (1) The sender of a registered article addressed to any country belonging to the Universal Postal Union shall be entitled to obtain an acknowledgment of its delivery by paying a fee in addition to the postage and registration fee, of one anna in the case of a registered article addressed to Ceylon or Portuguese India, and of [three annas]<sup>3</sup> in the case of a registered article addressed to any other such country.

(2) When the sender of a registered article addressed to any country belonging to the Universal Postal Union has not paid the fee for an acknowledgment of its delivery, and desires to have an inquiry made by the post office regarding the disposal of the article, he shall be entitled to this service on payment of the same fee as that chargeable for an acknowledgment of delivery.

### PART IV.—INSURANCE OF POSTAL ARTICLES.

#### I.—INLAND POSTAL ARTICLES.

47. Registered letters, value-payable registered letters, registered parcels, and value-payable registered parcels may be insured up to the

<sup>1</sup> The words " of three annas " were omitted by Notification No. 813-P. W., dated 29th October, 1921, see *Gazette of India*, 1921, Pt. I, p. 1482.

<sup>2</sup> Inserted by Notification No. 813-P. W., dated 29th October, 1921, see *Gazette of India*, 1921, Pt. I, p. 1482.

<sup>3</sup> These words were substituted for the words " two annas " by Notification No. 52-P. W., dated 13th August 1921, see *Gazette of India*, 1921, Pt. I, p. 1103.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

value of Rs. <sup>1</sup>[600] at such branch post offices, and up to the value of Rs. 2,000 at such other post offices, as may be authorised by the Director General to accept articles for insurance:

Provided that in no case shall such value exceed the real value of the contents of the article insured.

<sup>2</sup>[Provided also that articles containing gold coin or bullion or both shall be insured for the actual value of the contents.]

48. <sup>3</sup>[Insurance shall cover all risks in course of transmission by post.]

49. In addition to the postage and the fee for registration, the following further fees shall be charged for insurance:—

	Annas.
<sup>4</sup> [Where the value insured does not exceed Rs. 100 . . . . .]	2
For every additional Rs. 100 or fraction thereof . . . . .]	2]
* * * * *	*

50. The prepayment of all charges on insured articles, namely, postage, registration fees, and insurance fees, shall be compulsory. Payment in all cases shall be made by means of postage stamps affixed to the articles. <sup>5</sup>[The stamps must be placed apart from one another so that they may not serve to conceal injuries to the cover of the letter or parcel.]

51. (1) Every letter tendered for insurance must be enclosed in a strong cover, which must be securely fastened and sealed with fine wax bearing a private mark, in such a way that it cannot be opened without either breaking the seals or leaving obvious traces of violation. <sup>7</sup>[No label of any kind shall be affixed by the sender to such a cover.] Envelopes with black or coloured borders must not be used. Seals must be placed over each flap or seam of the cover; and if the cover is tied round with string or tape, a seal must be placed on the ends where they are tied.

(2) Every parcel tendered for insurance must be packed carefully and substantially with due regard to the nature of the contents and the length of the journey, and must be sealed with wax or lead, bearing

<sup>1</sup> This value was fixed by Notification No. 8347—103, dated 11th October, 1913, published in the Gazette of India, 1913, Pt. I, p. 924.

<sup>2</sup> Inserted by Notification No. 90-P. T., dated 8th August, 1925, see Gazette of India, 1925, Pt. I, p. 745.

<sup>3</sup> Substituted by Notification No. 97-P. W., dated 20th January, 1923, see Gazette of India, 1923, Pt. I, p. 49.

<sup>4</sup> Substituted by Notification No. 175-P. T., dated 5th January, 1924, see Gazette of India, 1924, Pt. I, p. 21.

<sup>5</sup> The words "the further fees in the case of partially insured articles shall be charged at only half the above rates" were omitted by Notification No. 97-P. W., dated 20th January, 1923, see Gazette of India, 1923, Pt. I, p. 49.

<sup>6</sup> These words were added by Notification No. 1658-D., dated 22nd February, 1919, see Gazette of India, 1919, Pt. I, p. 425.

<sup>7</sup> These words were inserted by Notification No. 766-D., dated 7th February, 1920, see Gazette of India, 1920, Pt. I, p. 275.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI of 1898).

#### Rules as to rates of postage, money orders, insurance, etc.—*contd.*

a private mark, in such a way that it cannot be opened without either breaking the seal or leaving obvious traces of violation. Seals must be placed over each join or loose flap of the covering of a parcel; and, if string be used in packing, a seal must be placed on the ends of the string where they are tied.

<sup>1</sup>[If a parcel contains gold [or silver]<sup>2</sup> bullion or coins, it must be packed in a stout wooden case with an outer covering of cloth or stout paper.]

(3) All the seals affixed to an insured postal article shall be of the same kind of wax and shall bear distinct impressions of the same device. The device shall not be that of a current coin or merely a series of straight, curved, or crossed lines.

52. No postal article shall be accepted at any post office for insurance if it is so small or so covered with writing or sealing-wax on the address-side, or otherwise made up in such a manner, as to render it impracticable to affix to the article the official labels prescribed by the Director General.

*Explanation.*—This rule shall not apply to an article which has an address-label tied to it, provided that the label is not so small or so covered with writing on the address-side as to render it impracticable to affix to that side the official labels prescribed by the Director General.

53. An article intended for insurance shall be presented at the window of the post office with the amount for which the sender wishes it to be insured, clearly written, in words and figures [without erasure or correction]<sup>3</sup> on the cover. The name and address of the sender shall also be written on the cover in the lower left-hand corner, or on a separate slip of paper, to be presented with the article, should there be no room for his name and address on the cover.

54. A receipt shall be given to the person who presents an article for insurance at the post office window during the hours prescribed for posting insured articles.

55. The sender of an insured article shall be entitled to obtain free of charge an acknowledgment of its delivery signed by the addressee.

56. There shall be payable to the sender of an insured postal article compensation not exceeding the amount for which the article has been insured, for the loss of the postal article or any of its contents or for any damage caused to it in course of transmission by post:

<sup>1</sup> These words were added by Notification No. 428—16, dated 5th February, 1916, see Gazette of India, 1916, Pt. I, p. 143.

<sup>2</sup> These words were inserted by Notification No. 4804, dated 7th August, 1920, see Gazette of India, 1920, Pt. I, p. 1503.

<sup>3</sup> These words were inserted by Notification No. 766-D., dated 7th February, 1920, see Gazette of India, 1920, Pt. I, p. 275.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**INDIAN POST OFFICE ACT, 1898 (VI OF 1898).**

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

Provided that the compensation shall in no case exceed the value of the article or any of its contents lost or the amount of the damage caused, and provided that in the case of loss the sender shall furnish full particulars of the contents of the postal article and their value:

Provided, also, that no compensation shall be payable—

- (a) where there has been misdelivery arising out of incorrectness or incompleteness of the address written by the sender;
- (b) where there has been fraud on the part of the sender or addressee;
- (c) where the insured article has been delivered to the addressee and he has signed and returned the receipt therefor;
- (d) where the sender has not given intimation of the loss within three months from the date of posting;
- (e) where the loss or damage was due to improper or insecure packing;
- (f) where there is no visible damage to the cover or seals;
- <sup>1</sup>[(g) where the insured article contains gold coin or bullion or both and has not been insured for the actual value of the contents];
- (h) in the case of the loss of halves of currency notes where the halves which are safe have not been made over to the Post Office;
- (i) in the case of damage arising from the nature of the article insured; or
- <sup>2</sup>[(j) where the insured article contained anything the transmission of which by post is prohibited.]

57. Compensation shall be payable one month after the date on which intimation of loss is given by the sender to the Post Office, except in cases in which the Postmaster General may consider that the circumstances demand the withholding of payment pending inquiry.

58. Coin, bullion, precious stones, jewellery, currency notes or any portion thereof, and articles of gold or silver may be sent by post only in insured registered letters or insured parcels. If a letter or parcel presented at the post office window is found to contain any such object of value, it shall not be accepted for transmission by post, unless the sender insures it; and if an uninsured article manifestly containing any such object of value is found in course of transmission by post, it shall be either intercepted and returned to the sender or forwarded to destination and

<sup>1</sup> Original clause (g) was omitted by Notification No. 97-P. W., dated 20th January, 1923, see Gazette of India, 1923, Pt. I, p. 49, and new clause (g) was inserted by Notification No. 70-P. T., dated 8th August, 1925, see Gazette of India, 1925, Pt. I, p. 745.

<sup>2</sup> Substituted by Notification No. 766-D., dated 7th February, 1920, see Gazette of India, 1920, Pt. I, p. 275.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

delivered to the addressee subject to the payment of a fee of one rupee. The payment of this fee shall not impose any liability on the Government.

<sup>1</sup>[*Explanation.*—In this rule, the expression “articles of gold or silver” includes articles made wholly or partly of gold or silver, but not coins and electro or other plated goods. The expression “coin” does not include cut counterfeit coin remitted on behalf of the Currency Department and Mints. The expression “currency notes” does not include defaced notes, *i.e.*, notes from which the signature has been cut off after cancellation, remitted on behalf of the Currency Department.]

### II.—FOREIGN POSTAL ARTICLES.

59. The Director General shall, from time to time, notify in the *Post Office Guide* the countries and places for transmission to which foreign registered letters and foreign parcels may be insured, and the limit up to which such letters or parcels may be insured in each case:

Provided that in no case shall such value exceed the real value of the contents of the letter or parcel insured.

<sup>2</sup>[60. In addition to the postage and (in the case of letters) the registration fee, the following further fees shall be charged for insurance:—

*For insurance of letters and parcels to Ceylon and of letters to Portuguese India—*

	Annas.
Where the value insured does not exceed Rs. 100 . . . .	2
For every additional Rs. 100 or fraction thereof . . . .	2

*For insurance of letters and parcels to Mauritius and the Somaliland Protectorate and of parcels to Portuguese India, the Seychelles or Zanzibar—*

	Annas.
Where the value insured does not exceed Rs. 200 . . . .	5
For every additional Rs. 200 or fraction thereof . . . .	5

*For insurance to the United Kingdom and to British possessions and foreign countries other than those mentioned above and for insurance of letters to the Seychelles—*

	Annas.
Where the value does not exceed £12 . . . . .	5
For every additional £12 or fraction thereof . . . . .	5]

61. The prepayment of all charges on insured foreign registered letters and parcels shall be compulsory. Payment in all cases shall be made by means of postage stamps affixed to the letters or parcels. The

<sup>1</sup> This explanation was substituted by Notification No. 57-P. T., dated 3rd October, 1925, see *Gazette of India*, 1925, Pt. I, p. 913.

<sup>2</sup> Substituted by Notification No. 657-P. W., dated 25th March, 1922, see *Gazette of India*, 1922, Pt. I, p. 314.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

#### Rules as to rates of postage, money orders, insurance, etc.—*contd.*

stamps must be placed apart from one another, so that they may not serve to conceal injuries to the cover of the letter or parcel. No label of any kind shall be affixed by the sender to the cover of a letter intended for insurance.

62. (1) Every foreign letter tendered for insurance must be enclosed in a strong cover, which must be securely fastened and sealed with fine wax bearing a private mark, in such a way that it cannot be opened without either breaking the seals or leaving obvious traces of violation. Envelopes with black or coloured borders [or transparent panels]<sup>1</sup> must not be used. Seals must be placed over each flap or seam of the cover; and if the cover is tied round with string or tape, a seal must be placed on the ends where they are tied.

(2) Every foreign parcel tendered for insurance must be packed carefully and substantially, with due regard to the nature of the contents and the length of the journey, and must be sealed with wax or lead, bearing a private mark, in such a way that it cannot be opened without either breaking the seal or leaving obvious traces of violation. Seals must be placed over each join or loose flap of the covering of a parcel; and, if string be used in packing, a seal must be placed on the ends of the string where they are tied. <sup>2</sup>[If a parcel contains gold or silver bullion or coins, it must be packed in a stout wooden case with an outer covering of cloth or stout paper.]

(3) All the seals affixed to an insured foreign letter or parcel shall be of the same kind of wax or lead and shall bear distinct impressions of the same private device. The device shall not be that of a current coin or merely a series of straight, curved, or crossed lines.

63. No foreign letter or parcel shall be accepted at any post office for insurance if it is so small or so covered with writing or sealing-wax on the address-side, or otherwise made up in such a manner, as to render it impracticable to affix to it the official labels prescribed by the Director General.

*Explanation.*—This rule shall not apply to a letter or parcel which has an address-label tied to it, provided that the label is not so small or so covered with writing on the address-side as to render it impracticable to affix to that side the official labels prescribed by the Director General.

64. A foreign letter or parcel intended for insurance shall be presented at the window of the post office with the amount for which the sender wishes it to be insured, clearly written in words and figures, without erasure or correction on the cover and accompanied by such form or forms duly filled up as may be prescribed by the Director General,

<sup>1</sup> These words were inserted by Notification No. 95-P. T., dated 16th February, 1924, see Gazette of India, 1924, Pt. I, p. 153.

<sup>2</sup> These words were inserted by Notification No. 4286—16, dated 5th February, 1916, see Gazette of India, 1916, Pt. I, p. 143.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**INDIAN POST OFFICE ACT, 1898 (VI OF 1898).**

**Rules as to rates of postage, money orders, insurance, etc.—*contd.***

from time to time, in the *Post Office Guide*. The name and address of the addressee of a foreign letter or parcel intended for insurance shall be written in ink on the actual cover of the article. <sup>1</sup>[Letters addressed to initials or directed in pencil or bearing at the time of posting erasures or corrections in the address shall not be forwarded.]

65. A receipt shall be given to the person who presents a foreign letter or parcel for insurance at the window of the post office during the hours prescribed for posting insured foreign articles.

66. (1) <sup>2</sup>[When a foreign letter or a foreign parcel, not being a parcel addressed to a prisoner of war or to an Information Bureau established for prisoners in a belligerent country or in a neutral country which has received belligerents in its territory or to a belligerent interned in a neutral country, has been insured by the Post Office and posted in India, there shall, in the event of such letter or parcel or the contents thereof being lost or damaged in the course of transmission by post, be payable to the sender of such letter or parcel, compensation on account of such loss or damage not exceeding the amount for which such letter or parcel has been insured. Provided that where the addressee makes reservations on taking delivery of a damaged article or of an article the contents of which have been abstracted, or furnishes proof that the sender has waived his rights in the addressee's favour, compensation as aforesaid shall be payable to the addressee and not to the sender.

In the following cases, namely—

- (a) when the contents of such letter are lost or wholly destroyed;
- (b) when the whole of the contents of such parcel are lost, destroyed or abstracted;
- (c) when, by reason of damage attributable to the postal service, the addressee refuses delivery of such parcel;

the sender of such letter or parcel shall be further entitled to a refund of the expenses of transmission, and, when an error on the part of the Post Office gives rise to enquiry as to the disposal of such letter or parcel, to a refund of any fee paid on account of such enquiry; but the sender of such letter or parcel shall in no case be entitled to a refund of the fee paid for insurance.]

Provided that the compensation shall in no case exceed the value of the article lost or the amount of the damage caused: <sup>3</sup>[and that loss of

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<sup>1</sup> These words were added by Notification No. 95-P. T., dated 16th February, 1924, see Gazette of India, 1924, Pt. I, p. 153.

<sup>2</sup> This portion was substituted by Notification No. 57-P. T., dated 5th December, 1925, see Gazette of India, 1925, Pt. I, p. 1180.

<sup>3</sup> These words were inserted by Notification No. 95-P. T., dated 16th February, 1924, see Gazette of India, 1924, Pt. I, p. 153.

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profits or other indirect loss shall not be taken into consideration in the assessment of compensation.]

Provided, also, that no compensation shall be payable—

- (a) where the loss or damage has been caused by the fault or negligence of the sender, or arises from the nature of the article;
- (b) where the insurance has been fraudulently made for the sum above the real value of the contents, or there has been any other fraud on the part of the sender or addressee;
- <sup>1</sup>[(c) where the insured article has been delivered to the addressee and he has signed and returned the receipt therefor without protest, or, in the case of an insured letter, without lodging a complaint immediately after taking delivery;]
- (d) where the sender or addressee has not given intimation of the loss or damage within <sup>2</sup>[one year following the day of posting];
- (e) where the loss or damage was due to improper or insecure packing;
- (f) where there is no visible damage to the cover or seals;<sup>3</sup>
- (g) in cases beyond control (*e.g.*, tempest, shipwreck, earthquake, war, etc.);<sup>4</sup>
- <sup>4</sup>[(h) where the insured article cannot be traced in consequence of the destruction of the documents relating to it from causes beyond control; or]
- <sup>4</sup>[(i) where the insured article contained anything the transmission of which by the letter or the parcel post, as the case may be, is prohibited.]

(2) The Secretary of State for India in Council accepts no liability either to the sender or the addressee for any loss or damage in respect of any foreign letter or parcel which was not posted in India and insured by the post office of India.

67. (1) Where a foreign parcel contains coin, bullion, precious stones, jewellery, or articles of gold or silver, it shall not be accepted for transmission by post unless the sender wishes to insure it. If a foreign parcel containing any such object of value is addressed to a country or

<sup>1</sup> This portion was substituted by Notification No. 57-P. T., dated 5th December, 1925, see Gazette of India, 1925, Pt. I, p. 1180.

<sup>2</sup> These words were substituted for the words "twelve months from the date of posting" by Notification No. 95-P. T., dated 16th February, 1921, see Gazette of India, 1921, Pt. I, p. 153.

<sup>3</sup> The word "or" was omitted by Notification No. 706-D., dated 7th February, 1920, see Gazette of India, 1920, Pt. I, p. 275.

<sup>4</sup> The word "or" previously inserted was omitted, the existing clause (h) re-lettered (i) and a new clause (h) inserted by Notification No. 253-P. W., dated 4th February, 1922, see Gazette of India, 1922, Pt. I, p. 132.



## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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place to which insurance is not available, the parcel shall be insured for its inland transit within the limits of British India, and in such cases the fee charged for insurance shall be calculated as follows:—

<sup>1</sup>[*When the value is expressed in rupee currency.*

	Annas.
Where the value insured does not exceed Rs. 100 . . .	2
For every additional Rs. 100 or fraction thereof . . .	2

*When the value is expressed in sterling.*

	Annas.
Where the value insured does not exceed £6 . . .	2
For every additional £6 or fraction thereof . . .	2]

<sup>2</sup>[(2) A foreign registered letter containing coin, bullion, precious stones, jewellery or articles of gold and silver and addressed to a country or place, which admits such objects when sent by registered letter but does not allow them to be insured, shall be insured for its inland transit within the limits of British India, and the fee for insurance shall be calculated in the manner prescribed in sub-rule (1).]

<sup>3</sup>[3] If an uninsured foreign parcel, declared to contain or manifestly containing any of the objects of value specified above, is received from a country with which, as notified by the Director General in the *Post Office Guide*, insured parcels can be exchanged, the parcel shall either be intercepted and returned to the sender or forwarded to destination and delivered to the addressee, subject to the payment of a fee of one rupee. The payment of this fee shall not impose any liability on the Secretary of State for India in Council.

*Explanation.*—In this rule the expression “ articles of gold or silver ” includes articles made wholly or partly of gold or silver, but not electro- or other plated goods.

<sup>4</sup>[(4) If a foreign registered letter containing coin, bullion, precious stones, jewellery, or articles of gold and silver, is received from a foreign country, plainly superscribed [to be submitted to the Customs]<sup>5</sup> and

<sup>1</sup> Substituted by Notification No. 175-P. T., dated 5th January, 1924, see *Gazette of India*, 1924, Pt. I, p. 21.

<sup>2</sup> Sub-rule (2) was inserted by Notification No. 655-P. W., dated 25th March, 1922, see *Gazette of India*, 1922, Pt. I, p. 314.

<sup>3</sup> This sub-rule was re-numbered (3) by Notification No. 655-P. W., dated 25th March, 1922, see *Gazette of India*, 1922, Pt. I, p. 314.

<sup>4</sup> Sub-rule (4) was inserted by Notification No. 189-P. W., dated 3rd February, 1923, see *Gazette of India*, 1923, Pt. I, p. 104.

<sup>5</sup> These words were substituted for the words “ Dutiable: subject to Customs-Examination in India ” by Notification No. E. A.-17, dated 19th May, 1923; see *Gazette of India*, 1923, Pt. I, p. 450.

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accompanied by an invoice giving an accurate statement of the value of the contents, it shall be treated as an article insured for its inland transit within the limits of British India, and shall be delivered to the addressee on payment of an insurance fee calculated, in the manner prescribed in sub-rule (1), on the value of the contents assessed by the Customs Authorities: Provided that if the value of the contents exceeds the maximum limit of value for which inland letters may be insured, the article shall be insured only for such maximum.]

68. Where an insured foreign letter which has been re-directed, or an insured foreign parcel which has been re-directed or returned as undeliverable, is received in India subject to a fresh insurance fee by reason of its having been so re-directed or returned, such fee shall be recoverable on delivery as if it were postage due under the Act.

PART V.—VALUE-PAYABLE POST.

69. <sup>1</sup>[Registered parcels, registered letters, registered book-packets and newspapers prepaid with postage at newspaper rates of postage and with registration fee] may be transmitted by the inland post as value-payable postal articles, provided that the amount specified for remittance to the sender in the case of any such postal article shall not exceed Rs. 1,000 and—except in the case of postal articles sent by, or addressed to, any Department of the Government or a District, Local, or Municipal Board,—shall not contain a fraction of an anna, and provided that such parcels, letters, and packets do not contain coupons, tickets, certificates, or introductions designed for the sale of goods on what is known as the “snowball system.”

*Explanation.*—The words “any Department of the Government” include any official Department of the Government of a Native State, the posts of which have been amalgamated with the Imperial Post.

<sup>2</sup>[70. Value-payable postal articles as enumerated below may also be transmitted to the undermentioned countries, provided that the amount specified for remittance to the sender in respect of any such postal article shall not exceed Rs. [400]<sup>3</sup> in the case of the United Kingdom and Rs. 600 in other cases, and shall not contain a fraction of an anna, and provided that such parcels, letters and packets do not contain coupons,

<sup>1</sup> Substituted by Notification No. 41-P. W., dated 14th January, 1922, see *Gazette of India*, 1922, Pt. I, p. 23.

<sup>2</sup> Substituted by Notification No. 1903, dated 8th May, 1920, see *Gazette of India*, 1920, Pt. I, p. 899.

<sup>3</sup> This figure was substituted for the figure “250” by Notification No. 823—5, dated 4th June, 1921, see *Gazette of India*, 1921, Pt. I, p. 801.

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tickets, certificates or introductions designed for the sale of goods on what is known as the "snowball system":—]

<sup>1</sup>[*United Kingdom, Iraq, the Straits Settlements, and the Federated Malay States.*—Registered parcels.]

<sup>2</sup>[*Ceylon.*—Registered parcels, registered letters, registered book-packets and newspapers prepaid with postage at newspaper rates of postage and with registration fee.

<sup>3</sup>[*Portuguese India, the Seychelles, and British Somaliland.*—Registered parcels, registered letters and registered book-packets.]

\* \* \* \* \*

71. No such postal article as aforesaid shall be accepted at any post office for transmission by post as a value-payable postal article unless the sender declares that it is sent in execution of a *bonâ fide* order received by him. At any post office notified from time to time in this behalf by the Director General \* \* \* the sender shall, in addition, be required to declare that the article is one the transmission of which by post as a value-payable postal article is permitted. No postal article as aforesaid shall be accepted at these offices without such further declaration.

*Explanation.*—An article may be sent by the value-payable post even though it possesses no intrinsic value. Thus, legal documents, bonds, policies of insurance, promissory notes, railway goods and parcel receipts, bills of lading, \* \* \* or ordinary bills for collection may be sent as value-payable postal articles. In the case of a railway receipt or bill of lading sent as a value-payable postal article, it will be sufficient, for the purposes of this rule, if the article to which the railway receipt or bill of lading relates has been sent in execution of a *bonâ fide* order. In the case of the other documents specified, the document must be sent in execution of a *bonâ fide* order to send the document itself.

72. (1) Every postal article intended to be transmitted by post as a value-payable postal article shall be presented at the post office with a

<sup>1</sup> Substituted by Notification No. 63-P. T., dated 23rd February, 1924, see Gazette of India, 1924, Pt. I, p. 168.

<sup>2</sup> Substituted by Notification No. 41-P. W., dated 14th January, 1922, see Gazette of India, 1922, Pt. I, p. 23.

<sup>3</sup> Substituted by Notification No. E. D.-5, dated 7th July, 1923, see Gazette of India, 1923, Pt. I, p. 697.

<sup>4</sup> The note to this rule was omitted by *ibid.*

<sup>5</sup> The words "of the post office" were omitted by Notification No. 14350-161, dated 12th December, 1914, see Gazette of India, 1914, Pt. I, p. 2077.

<sup>6</sup> The words "(except to the Straits Settlements)" which were inserted in 1915 were omitted by Notification No. E. D.-5, dated 7th July, 1923, see Gazette of India, 1923, Pt. I, p. 697.

<sup>7</sup> Rule 72 was re-numbered 72 (1) by Notification No. 1903, dated 8th May, 1920, see Gazette of India, 1920, Pt. I, p. 899.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

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printed form, prescribed by the Director General and obtainable at the post office, in which the sender shall specify the sum to be remitted to himself, fill in the required entries, and sign the declaration required by rule 71. <sup>1</sup>[If the article is a parcel intended for delivery in the United Kingdom, [the Straits Settlements]<sup>2</sup> [or the Federated Malay States]<sup>3</sup> \* \* \* a fee calculated according to the schedule below on the amount specified for remittance to the sender shall be prepaid by the sender by affixing postage stamps of the value of the fee to the article itself. The sender of a postal article intended to be transmitted by post as value-payable shall write clearly on the face of the article itself—

- (a) in the upper left-hand corner—the letters “V. P.” <sup>4</sup>[or, in the case of value-payable parcels for the United Kingdom,]<sup>2</sup>[the Straits Settlements] [or the Federated Malay States]<sup>6</sup> the word “Remboursement” followed by an entry, *in figures and words*, of the amount for remittance to himself, and
- (b) in the lower left-hand corner—his own name and full address.]

#### <sup>7</sup>[Schedule of fees.

Amount specified for remittance to sender.	not exceeding Rs. 10 . . . . .	Two annas.
	exceeding Rs. 10 but not exceeding Rs. 25 . . . . .	Four annas.
	exceeding Rs. 25 . . . . .	Four annas for each complete sum of Rs. 25 and four annas for the remainder provided that, if the remainder does not exceed Rs. 10, the charge for it shall be only two annas.]

<sup>8</sup>[(2) In the case of a postal parcel intended for transmission to the United Kingdom, [the Straits Settlements]<sup>2</sup> [or the Federated Malay

<sup>1</sup> Substituted by Notification No. 1903, dated 8th May, 1920, see Gazette of India, 1920, Pt. I, p. 899.

<sup>2</sup> These words were inserted by Notification No. E. D.-5, dated 7th July, 1923, see Gazette of India, 1923, Pt. I, p. 697.

<sup>3</sup> These words were inserted by Notification No. 63-P. T., dated 23rd February, 1924, see Gazette of India, 1924, Pt. I, p. 168.

<sup>4</sup> The words “or if it is an unregistered parcel” were omitted by Notification No. 5110, dated 14th August, 1920, see Gazette of India, 1920, Pt. I, p. 1542.

<sup>5</sup> Inserted by Notifications No. 1903, dated 8th May, 1920, E. D.-5, dated 7th July, 1923, and 63-P. T., dated 23rd February 1924, see Gazette of India, 1920, 1923 and 1924, Pt. I, pp. 899, 697 and 168.

<sup>6</sup> Substituted by Notification No. 63-P. T., dated 23rd February, 1924, see Gazette of India, 1924, Pt. I, p. 168.

<sup>7</sup> This schedule was substituted by Notification No. 2754, dated 2nd April, 1921, see Gazette of India, 1921, Pt. I, p. 521.

<sup>8</sup> Inserted by Notification No. 1903, dated 8th May, 1920, see Gazette of India, 1920, Pt. I, p. 899.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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States]<sup>1</sup> as value-payable a posting fee of 2 annas shall also be prepaid by the sender by affixing postage stamps of the value of the fee to the article itself.]

73. No article shall be accepted at any post office for transmission by post as a value-payable postal article if it is so small or so covered with writing or sealing-wax on the address-side, or otherwise made up in such a manner, as to render it impracticable to affix to the article the official labels prescribed by the Director General.

*Explanation.*—This rule shall not apply to an article which has an address-label tied to it, provided that the label is not so small or so covered with writing on the address-side as to render it impracticable to affix to that side the official labels prescribed by the Director General.

74. [The amount to be recovered from the addressee shall be the sum specified by the sender for remittance to himself *plus*,<sup>2</sup> [in the case of all articles other than parcels received from the United Kingdom,]<sup>3</sup> [the Straits Settlements]<sup>1</sup> [or the Federated Malay States,] a fee calculated as in sub-rule (1) of rule 72. A delivery fee of 2 annas on every parcel transmitted from the United Kingdom,<sup>3</sup> [the Straits Settlements]<sup>1</sup> [or the Federated Malay States] as value-payable shall also be levied from the addressee. When the amount due is recovered from the addressee, the sum for payment to the sender shall be remitted to him by means of a money order. If the addressee of a value-payable article refuses or omits to take delivery of it, the article shall be returned to the sender, who will be required to pay any charges that may be due on it, and to acknowledge receipt of the article by signing the form presented by the postman. In no circumstances will the fee or fees prepaid in stamps be refunded.]

<sup>1</sup>[NOTE.—The conversion into Indian currency of the amount specified for remittance to the sender of a value-payable parcel posted in the United Kingdom shall be effected at the rate of exchange for the payment of foreign sterling money orders received for payment in India and advised on the date of receipt of the parcel in the Indian Post Office of exchange concerned.]

75. If a complaint is made by the addressee immediately after the receipt of a value-payable postal article, that it was sent dishonestly or fraudulently, the Postmaster General may, if satisfied that there are *prima facie* grounds for believing that the value-payable postal article was sent with the intention of defrauding the addressee, withhold the payment to the sender of the money recovered from the addressee. If, after making such inquiries as may be necessary, he is fully satisfied

<sup>1</sup> Substituted by Notification No. 63-P. T., dated 23rd February, 1924, see Gazette of India, 1924, Pt. I, p. 163.

<sup>2</sup> Substituted by Notification No. 5110, dated 14th August, 1920, see Gazette of India, 1920, Pt. I, p. 1542.

<sup>3</sup> These words were inserted by Notification No. E. D.-5, dated 7th July, 1923, see Gazette of India, 1923, Pt. I, p. 697.

<sup>4</sup> This note was substituted by Notification No. 623, dated 22nd January, 1921, see Gazette of India, 1921, Pt. I, p. 101.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

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that the value-payable postal article was sent with this intention, he may order the return of the article to the sender and refund to the addressee the sum of money recovered from him on delivery of the value-payable postal article.

<sup>1</sup>[*Exception.*—This rule does not apply to value-payable parcels exchanged with the United Kingdom, <sup>2</sup>[the Straits Settlements] <sup>3</sup>[or the Federated Malay States.]

76. Whenever the sender or addressee of a value-payable postal article makes a complaint regarding the delivery of or payment for the value-payable postal article, he shall be entitled to have an inquiry made by the post office on paying a fee of one anna. The fee shall be paid by means of a postage stamp or stamps affixed to the letter of complaint. This fee shall be refunded in cases where the complaint is found to be well-grounded.

77. The Government shall not incur any liability in respect of the sum specified for remittance to the sender in respect of a value-payable postal article unless and until that sum has been received from the addressee '[and unless a claim for that sum has been preferred within one year from the date of posting of the article.]

\*78. \* \* \* \* \*

### PART VI.—MONEY ORDERS.

#### I.—INLAND MONEY ORDERS.

##### *Ordinary inland money orders.*

86. The amount for which a single money order may be issued shall not exceed Rs. 600 and—except in the case of money orders issued by, or in favour of, any Department of the Government, or by, or in favour of, a District, Local, or Municipal Board,—shall not include a fraction of an anna.

*Explanation.*—The words “any Department of the Government” include any official Department of the Government of a Native State, the posts of which have been amalgamated with the Imperial post.

87. Money orders may be issued on the following Native States with which special arrangements have been made for the exchange of money

<sup>1</sup> Added by Notification No. 1903, dated 8th May, 1920, see Gazette of India, 1920, Pt. I, p. 899.

<sup>2</sup> Inserted by Notification No. E. D.-5, dated 7th July, 1923, see Gazette of India, 1923, Pt. I, p. 697.

<sup>3</sup> Substituted by Notification No. 63-P. T., dated 23rd February, 1924, see Gazette of India, 1924, Pt. I, p. 168.

<sup>4</sup> Added by Notification No. C. G.-103, dated 19th May, 1923, see Gazette of India, 1923, Pt. I, p. 450.

<sup>5</sup> The heading and Rule 78 were omitted by Notification No. 815-P. W., dated 29th October, 1921, see Gazette of India, 1921, Pt. I, p. 1482.

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orders, but the amount for which a single money order may be issued on these States shall not exceed Rs. 600:—

Chamba.		Jhind.
Gwalior.		Nabha.
	Patiala.	

*Explanation.*—The exception in the last preceding rule applies also to money orders issued by, or in favour of, any official Department of any of these States.

88<sup>1</sup>. A commission on the issue of inland money orders shall be charged at the following rates, namely:—

On any sum not exceeding Rs. 10 . . . . .	Two annas.
On any sum exceeding Rs. 10 but not exceeding Rs. 25 . . . . .	Four annas.
On any sum exceeding Rs. 25 . . . . .	Four annas for each complete sum of Rs. 25 and four annas for the remainder, provided that, if the remainder does not exceed Rs. 10, the charge for it shall be only two annas.]

89. The Director General may, at any time, suspend the issue of money orders upon or by any particular post office, or group of post offices, or direct that money orders shall not be so issued except on payment of special rates of commission higher than those prescribed by rule 88.

90. The remitter of a money order shall fill in, in ink, on a money order form prescribed by the Director General such particulars as the Director General may require. Such particulars may be written in English or in the vernacular of the district.

91. The money order form duly filled in, together with the amount of the money order and commission, may be presented at the post office during the hours prescribed by the Director General for money order business.

92. A receipt shall be given to the remitter for the amount paid by him on account of the money order and commission.

93. The remitter of a money order shall be entitled to obtain, free of charge, an acknowledgment of the payment of the amount of the order signed by the payee.

94. The payment of a money order shall ordinarily be made at the address of the payee on his signing the money order and acknowledgment.

95. The money order and acknowledgment shall be signed by the payee named by the remitter, or by some person authorised in writing

<sup>1</sup> Substituted by Notification No. 2754, dated 2nd April, 1921, see Gazette of India, 1921, Pt. I, p. 521.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**INDIAN POST OFFICE ACT, 1898 (VI OF 1898).**

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by the payee in this behalf. The signature shall be written in ink in the space provided for the purpose.

96. If the remitter or payee of a money order is illiterate, his mark shall be obtained and shall be verified in such manner as the Director General may direct.

97. A money order shall be re-directed to the payee on his written request free of charge.

98. The remitter of a money order which has not been paid may require that the address of the payee shall be altered or that the name of the post office, at which the order was originally made payable, shall be changed. The required change shall be made without additional charge on the remitter's applying in writing to the post office at which the order was issued.

99. The remitter of a money order which has not been paid may require that the amount be paid to some person other than the payee named in the order. The required change shall be made, on payment of a second commission equal to the first, on the remitter's applying in writing to the post office at which the order was issued.

100. The remitter of a money order which has not been paid may stop payment and require that the money be repaid to himself. This shall be done without additional charge on the remitter's applying in writing to the post office at which the money order was issued, and producing the receipt and giving full particulars of the payee's address as entered in the money order. In no case, however, shall the post office be responsible for inability or failure to stop payment of a money order in compliance with the remitter's request.

101. If the payee of a money order cannot be found, or if the payee refuses to take payment, the amount of the order shall be returned at once to the remitter free of charge. The commission shall in no case be refunded.

102. If payment of a money order to the payee cannot be effected, and the amount cannot be repaid to the remitter owing to the latter not being found, the order shall be void and its value credited to the Government. But, if the payee or remitter subsequently applies for payment, the amount of the order shall be paid to him on the authority of the Audit Officer, provided that application is made before the expiration of one year from the date of issue of the original order.

*Telegraphic inland money orders.*

103. The amount for which a single telegraphic money order may be issued shall not exceed Rs. 600, and shall not include any sum less than a rupee.



## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI of 1898).

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104. A fee for the issue of a telegraphic money order shall be charged at the rate of commission on an ordinary inland money order for the same amount, added to a telegraph charge calculated at the rates for inland telegrams for the actual number of words used in the telegram advising the remittance, according as the telegram is to be sent as an "Express" or as an "Ordinary" message. The remitter of a telegraphic money order may have a private communication added to the telegram advising the remittance on paying for the additional words in excess of twelve at the rate of two annas or [one anna]<sup>1</sup> a word, according as the telegram is to be sent "Express" or "Ordinary."

105. The Director General may, at any time, suspend the issue of telegraphic money orders upon any post office, or group of post offices, or direct that telegraphic money orders shall not be so issued except on payment of special fees higher than those prescribed by rule 104.

106. The remitter of a telegraphic money order shall fill in, in ink, on a money order form prescribed by the Director General, such particulars as the Director General may require.

107. The money order form duly filled in, together with the amount to be remitted and the fees for the telegraphic money order and private communication (if any), may be presented at the post office during the hours prescribed by the Director General for telegraphic money order business.

108. A receipt shall be given to the remitter, showing the total amount paid by him, the payee's name, and the hour at which the telegraphic money order was presented.

109. The remitter of a telegraphic money order shall be entitled to obtain free of charge by post, an acknowledgment of the payment of the amount of the order signed by the payee.

110. The payment of a telegraphic money order shall ordinarily be made as soon as practicable after receipt of the telegraphic advice by the office of payment, at the residence of the payee on his signing a receipt for the amount paid and the acknowledgment.

<sup>2</sup>[Provided that telegraphic money orders amounting to more than Rs. 600 in one day shall not be paid to any person who is not either permanently resident within the jurisdiction of the office of payment or personally known to the postmaster in charge of such office until confirmation of the telegraphic advice has been received by post; unless in the meantime the payee can get a respectable local resident to stand surety

<sup>1</sup> These words were substituted for the words "half-an-anna" by Notification No. 9047, dated 7th September, 1918, see Gazette of India, 1918, Pt. I, p. 1416.

<sup>2</sup> Added by Notification No. 1899-P. W., dated 7th October, 1922, see Gazette of India, 1922, Pt. I, p. 1219.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

#### Rules as to rates of postage, money orders, insurance, etc.—*contd.*

for him <sup>1</sup>[by executing] an indemnity bond for the amount of such orders in the form prescribed by the Director General.]

111. The receipt and acknowledgment shall be signed by the payee named by the remitter, or by some person authorised in writing by the payee in this behalf. The signature shall be written in ink in the space provided for the purpose.

112. If the remitter or payee of a telegraphic money order is illiterate, his mark shall be obtained and shall be verified in such manner as the Director General may direct.

113. A telegraphic money order shall be redirected to the payee by post, free of charge, on his written request.

114. The remitter of a telegraphic money order which has not been paid may require that the address of the payee shall be altered, or that the name of the office at which the order was originally made payable shall be changed. The required alteration shall be made in the ordinary course of post, without additional charge, on the remitter's applying in writing to the post office at which the money order was issued.

115. The remitter of a telegraphic money order which has not been paid may require that the amount be paid to some person other than the payee named in the order. The required change shall be made in the ordinary course of post, on payment of the commission chargeable on an ordinary money order for the same amount on the remitter's applying in writing to the post office at which the order was issued, and presenting the receipt granted for the original order.

116. The remitter of a telegraphic money order which has not been paid may stop payment and require that the money be repaid to himself. This shall be done on the remitter's applying in writing to the post office at which the money order was issued, producing the receipt and giving full particulars of the payee's address as entered in the money order. Payment may be stopped by telegram, the remitter paying the necessary charges at the ordinary rates for it. In no case, however, shall the post office be responsible for inability or failure to stop payment of a money order in compliance with the remitter's request.

117. If the payee of a telegraphic money order cannot be found, or should the payee refuse to take payment, a reference will be made to the office of issue, and the telegraphic money order, if still undeliverable, but not any private communication that may have been added to it, will then be re-issued by telegraph, free of any further charge, for repayment to the remitter. The fees shall in no case be refunded.

<sup>1</sup> These words were substituted for the words "and execute jointly with him" by Notification No. 122-P. W., dated 20th January, 1923, see Gazette of India, 1923, Pt. I, p. 49.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

118. If payment of a telegraphic money order to the payee cannot be effected, and the amount cannot be repaid to the remitter owing to the latter not being found, the order shall be void, and its value credited to the Government. But, if the payee or remitter subsequently applies for payment, the amount of the void order shall be paid to him on the authority of the Audit Officer, provided that application is made before the expiration of one year from the date of issue of the original order.

119. Telegraphic money orders may be issued from any post office in India (including Burma) <sup>1</sup>[for the head post office at Aden or the Aden Camp sub-office, or from the head post office at Aden or the Aden Camp sub-office] for any post office in India (including Burma). The limits of value and the other conditions laid down in the foregoing rules relating to inland telegraphic money orders shall apply to such telegraphic money orders:

<sup>2</sup>[Provided that the fees for such telegraphic money orders shall be made up of (i) the money order commission at the rates applicable to inland ordinary money orders, and (ii) a telegraph charge calculated on the actual number of words used in the telegram advising the remittance at the rate in force for the time being for an ordinary or deferred telegram, as the case may be, for Aden.]

Provided also that telegraphic money orders for repayment to the remitters shall be returned *by post* to the offices of issue.

<sup>3</sup>[119-A. Telegraphic money orders may be issued from any post office in India (including Burma) for any Indian post office in the Persian Gulf [\* \* \*<sup>4</sup>] or from any Indian post office in the Persian Gulf [\* \* \*<sup>4</sup>] for any post office in India (including Burma) or from one Indian post office to another in the Persian Gulf [\* \* \*<sup>4</sup>]. The limits of value and the other conditions laid down in the foregoing rules relating to inland telegraphic money orders shall apply to such telegraphic money orders:

Provided that the fees for such telegraphic money orders shall be made up of (1) the money order commission at the rates applicable to inland ordinary money orders and (2) a telegraph charge calculated at the rates for private telegrams for the actual number of words used in the telegram advising the remittance.

Provided also that telegraphic money orders for repayment to the remitters shall be returned *by post* to the offices of issue.

<sup>1</sup> Substituted by Notification No. 57-P. T., dated 18th April, 1925, see Gazette of India, 1925, Pt. I, p. 322.

<sup>2</sup> Substituted by Notification No. 95-P. T., dated 1st March, 1924, see Gazette of India, 1924, Pt. I, p. 192.

<sup>3</sup> Paragraph 119A was inserted by Notification No. 6640—121, dated 5th August, 1916, see Gazette of India, 1916, Pt. I, p. 1131.

<sup>4</sup> The words "or Mesopotamia" were omitted by Notification No. 952-P. W., dated 19th November, 1921, see Gazette of India, 1921, Pt. I, p. 1556.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

*Explanation.*—An “ Indian Post Office ” in this rule means a Post Office established by or under the management of the Director General of Posts and Telegraphs.]

II.—FOREIGN MONEY ORDERS.

*Ordinary foreign money orders.*

120. (1) Foreign money orders shall be of two kinds, namely:—  
 (a) Money orders expressed in rupee currency; and  
 (b) Money orders expressed in sterling.

(2) The Director General shall, from time to time, notify in the *Post Office Guide* the countries and places with which money orders of each kind may be exchanged.

121. <sup>1</sup>[(1) The amount for which a single foreign rupee money order may be issued, or the total amount for which a single remitter may obtain such money orders in one day, shall not exceed Rs. 600. In the event of foreign rupee money orders exceeding Rs. 600 in the aggregate being accepted by any post office or offices in British India from a single remitter in one day, only such money order or money orders as do not exceed that limit shall be advised to destination and the value of the remaining money order or money orders shall be repaid to the remitter, who shall not, however, be granted a refund of the commission paid by him in respect of such money orders. No foreign rupee money order shall include any fraction of an anna.

(2) The amount for which a single foreign sterling money order may be issued shall be limited to £40 except in cases where a lower limit has been specially notified by the Director General in the *Post Office Guide*. The total amount for which a single remitter may obtain such money orders in one day shall not exceed £40. In the event of foreign sterling money orders exceeding £40 in the aggregate being accepted by any post office or offices in British India from a single remitter in one day, only such money order or money orders as do not exceed that limit shall be advised to destination and the value of the remaining money order or money orders as actually paid in Indian currency at the time of issue shall be repaid to the remitter who shall not, however, be granted a refund of the Commission paid by him in respect of such money orders. No foreign sterling money order shall include any fraction of a penny.

(3) The amount of a foreign sterling money order shall be paid to the Post Office in rupee currency at such rate of exchange as the Director General shall, from time to time, direct.]

<sup>1</sup> Substituted by Notification No. 6790, dated 9th October, 1920, see *Gazette of India*, 1920, Pt. I, p. 1959.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

#### Rules as to rates of postage, money orders, insurance, etc.—*contd.*

122. (1) In the case of foreign rupee money orders the rates of commission shall be the same as those for the time being charged on inland money orders.

<sup>1</sup>[(2) In the case of foreign sterling money orders, the rates of commission shall be the following, namely:—

On any sum not exceeding £1 . . . . .	3 annas.
On any sum exceeding £1 but not exceeding £2 . . . . .	5 annas.
On any sum exceeding £2 but not exceeding £3 . . . . .	8 annas.
On any sum exceeding £3 but not exceeding £4 . . . . .	10 annas.
On any sum exceeding £4 but not exceeding £5 . . . . .	12 annas.
On any sum exceeding £5 . . . . .	12 annas for each complete sum of £5 and 12 annas for the remainder, provided that, if the remainder does not exceed £1, the charge for it shall be 3 annas; if it does not exceed £2, the charge for it shall be 5 annas; if it does not exceed £3, the charge for it shall be 8 annas, and if it does not exceed £4, the charge for it shall be 10 annas.]

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123. The Director General may at any time direct that foreign sterling money orders shall not be issued from the Aden Post Office or from any of the post offices established by the Governor General in Council at any of the marginally-named places\* beyond the limits of British India, except on payment of special rates of commission higher than those prescribed by rule 122 (2).

124. (1) The remitter of a foreign rupee money order shall, unless the money order is one for which an advice of payment as provided for in sub-rule (3) can be had, be entitled to receive free of charge an acknowledgment of the payment of the order signed by the payee.

(2) The remitter of a foreign sterling money order from any post office (except at Aden) shall, unless the money order is one for which an advice of payment as provided for in sub-rule (3) can be had, be entitled to receive free of charge an intimation from the Indian Post Office of exchange that the money order has been communicated to the country of payment.

<sup>1</sup> Substituted by Notification No. 70-P. W., dated 14th January, 1922, see Gazette of India, 1922, Pt. I, p. 25.

\* Cancelled by Notification No. 939-P. W., dated 13th May, 1922, see Gazette of India, 1922, Pt. I, p. 571.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

(3) The remitter of a foreign money order to any of the countries or places specially notified in that behalf by the Director General from time to time in the *Post Office Guide*, shall be entitled to receive an advice of its payment from the foreign post office of payment by paying the following fee in addition to the commission chargeable on the money order:—

In respect of a foreign sterling money order . . .	Two annas.
In respect of a foreign rupee money order . . .	One anna.

(4) When the remitter of a foreign money order has not paid the fee for an advice of payment, and desires to have an inquiry made by the post office regarding the disposal of the money order, he shall be entitled to this service on payment of the same fee as that chargeable for an advice of payment.

125. (1) In the case of a foreign sterling money order the remitter may, by application in writing accompanied by the money order receipt, require the Indian Post Office of exchange (at Bombay, Madras, or Aden, as the case may be) to request the country of payment to alter the address of the payee in the money order, or to pay the amount thereof to some person other than the payee named in the order, or to stop payment of the order. The office of exchange will communicate the result of the reference without charge to the remitter, and, if payment is stopped, the amount of the order shall be refunded to the remitter, but the commission shall not be refunded.

(2) In the case of a foreign rupee money order the remitter may require similar services in accordance with rules 98, 99 and 100 relating to inland money orders.

126. Rules 89, 90, 91, 92, and 96, relating to inland money orders, shall be equally applicable to the issue of foreign money orders.

127. Foreign sterling money orders received for payment in India shall be paid as if they were inland money orders, the amount in sterling of the original money order being converted into rupee currency by the Indian Post Office of exchange (at Bombay, Madras, or Aden, as the case may be) at such rate of exchange as the Director General may, from time to time, direct.

128. The payment of a foreign money order shall ordinarily be made at the address of the payee. It shall be made on his signing the order and acknowledgment (except when otherwise provided by the Director General) in a case of a foreign rupee money order, and on his signing the order in the case of a foreign sterling money order.

129. Under no circumstances can a foreign money order, whether a rupee money order or a sterling money order, be paid after it has been treated as void, or returned to the country of issue.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

INDIAN POST OFFICE ACT, 1898 (VI of 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

TELEGRAPHIC FOREIGN MONEY ORDERS.

*Indo-Ceylon telegraphic money orders.*

130. Rules 95, 96, 97, and 101, relating to inland money orders, shall be equally applicable to the payment of foreign money orders.

<sup>1</sup>[131. The amount for which a single telegraphic money order may be issued in India for payment in Ceylon or the total amount for which a single remitter may obtain such money orders in one day shall not exceed Rs. 600. In the event of telegraphic money orders for Ceylon exceeding Rs. 600 in the aggregate being accepted by any post office or offices in British India from a single remitter in one day, only such telegraphic money order or money orders as do not exceed that limit shall be advised to destination and the value of the remaining money order or money orders shall be repaid to the remitter, who shall not, however, be granted a refund of the commission or of the telegraph charges paid by him in respect of such money order or money orders. No telegraphic money order for Ceylon shall include any sum less than a rupee.]

<sup>2</sup>[132. The fee for a telegraphic money order issued in India for payment in Ceylon shall be charged at the rate of commission applicable to an ordinary money order drawn on Ceylon, *plus* a telegraph charge calculated on the actual number of words used in the telegram advising the remittance at the rate in force for the time being for an express or ordinary telegram for Ceylon, as the case may be. The remitter may have a private communication to the payee added to the telegram advising the remittance on paying for the additional words in excess of twelve at the rate in force for the time being for the class of telegrams to which the advice belongs.]

133. Rules 105, 106, 107, 108, and 112, relating to telegraphic inland money orders, shall be equally applicable to the issue of <sup>3</sup>[telegraphic money orders for payment in Ceylon].

134. The payment in India <sup>4</sup>[a telegraphic money order issued in Ceylon] shall ordinarily be made, as soon as practicable after the receipt of the telegraphic advice, at the address of the payee on his signing a receipt for the amount paid.

<sup>1</sup>[135. A telegraphic money order issued in Ceylon for payment in India shall be redirected to the payee by post, free of charge, on his

<sup>1</sup> Substituted by Notification No. 242-P. W., dated 4th February, 1922, see Gazette of India, 1922, Pt. I, p. 131.

<sup>2</sup> Substituted by Notification No. 866-D., dated 1st February, 1919, see Gazette of India, 1919, Pt. I, p. 263.

<sup>3</sup> Substituted by Notification No. 2378, dated 19th March, 1921, see Gazette of India, 1921, Pt. I, p. 446.

<sup>4</sup> Inserted by Notification No. 952-P. W., dated 19th November, 1921, see Gazette of India, 1921, Pt. I, p. 1556.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**INDIAN POST OFFICE ACT, 1898 (VI OF 1898).**

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

written request, or when there is sufficient trustworthy information upon which to redirect the order.

135A. If the payee of a telegraphic money order issued in Ceylon for payment in India cannot be found, or should the payee refuse to take payment, a reference shall be made to the office of issue, and if so desired by the remitter, the telegraphic money order shall be re-issued by post, free of any further charge, for repayment to him.

135B. The remitter of a telegraphic money order issued in India for payment in Ceylon may, on receipt of information from the office of issue that the order has not been paid, require that the name or address of the payee or both shall be altered or that the amount shall be repaid to him. Any such instructions shall be communicated by telegraph to the office of destination in Ceylon on the remitter's paying the cost, at the ordinary rate, of twelve words for a private message to that country.]

136. Rules 111 and 112, relating to telegraphic inland money orders, shall, as far as may be, apply to the payment in India of [telegraphic money orders issued in Ceylon].<sup>1</sup>

*Indo-Iraq telegraphic money orders.*

<sup>2</sup>[136A. Telegraphic money orders may be issued from any post office in India (including Burma) and from the head post office at Aden for any post office in Iraq. The limits of value and other conditions laid down in the foregoing rules relating to Indo-Ceylon telegraphic money orders shall apply to telegraphic money orders for or from Iraq:

Provided that—

- (a) the fees for such telegraphic money orders shall be made up of (i) the money order commission at the rates applicable to ordinary money orders for Iraq, and (ii) a telegraph charge calculated on the actual number of words used in the telegram advising the remittance at the rate in force for the time being for an ordinary or deferred telegram, as the case may be;
- (b) the remitter may obtain an advice of payment on paying the fee charged for such advice in the case of an ordinary money order;
- (c) if the remitter desires that the request for the advice should be communicated to the post office of payment by telegraph, a further charge at the rate for the time being in force for

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<sup>1</sup> Added by Notification No. 12761, dated 20th October, 1917, see Gazette of India, 1917, Pt. I, p. 1700.

<sup>2</sup> Inserted by Notification No. 952-P. W., dated 19th November, 1921, see Gazette of India, Pt. I, p. 1556.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**INDIAN POST OFFICE ACT, 1898 (VI OF 1898).**

**Rules as to rates of postage, money orders, insurance, etc.—*contd***

an ordinary or deferred telegram as the case may be, shall be made for the additional words "advise payment" which shall be added to the telegraph message; and

- (d) the remitter may also prepay the telegraphic charge for a reply at the ordinary rate only.]

*Indo-Mauritius, Indo-Federated Malay States and Indo-Straits Settlements telegraphic money orders.*

136B. Telegraphic Money Orders may be issued from any post office in India and from the head post office at Aden for any post office in Mauritius, in the Federated Malay States or in the Straits Settlements. The limits of value and other conditions laid down in the foregoing rule relating to Indo-Iraq telegraphic money orders shall apply to telegraph money orders for or from Mauritius, for or from the Federated Malay States or for or from the Straits Settlements:

Provided that the fees for such telegraphic money order shall be made up of (i) the money order commission at the rates applicable to ordinary money orders for Mauritius, for the Federated Malay States or for the Straits Settlements, and (ii) a telegraph charge calculated on the actual number of words used in the telegram advising the remittance at the rate in force for the time being for an ordinary or deferred telegrams, as the case may be.

*Indo-Seychelles telegraphic money orders.*

<sup>1</sup>[137. Telegraphic money orders may be issued from any post office in India and from the head post office at Aden for any post office in the Seychelles. The limits of value and other conditions laid down in the foregoing rules relating to Indo-Ceylon telegraphic money orders shall apply to telegraphic money orders for and from the Seychelles:

Provided that the fees for such telegraphic money orders shall be made up of (i) the money order commission at the rates applicable to ordinary money orders for the Seychelles, and (ii) a telegraph charge calculated on the actual number of words used in the telegram advising the remittance at the rate in force for the time being for an ordinary or deferred telegram, as the case may be.]

<sup>2</sup>[137A. Telegraphic money orders may be issued from any post office in India and from the head post office at Aden, for any post office in the

<sup>1</sup> Substituted by Notification No. 2378, dated 19th March, 1921, see Gazette of India, 1921, Pt. I, p. 446.

<sup>2</sup> Added by Notification No. 12761, dated 20th October, 1917, see Gazette of India, 1917, Pt. I, p. 1706.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**INDIAN POST OFFICE ACT, 1898 (VI OF 1898).**

**Rules as to rates of postage, money orders, insurance, etc.—*contd.***

United Kingdom. The amount for which a single telegraphic money order may be issued or the total amount for which a single remitter may obtain such money orders in one day shall not exceed £40. In the event of telegraphic money orders for the United Kingdom exceeding £40 in the aggregate being accepted by any post office or offices in British India from a single remitter in one day, only such telegraphic money order or money orders as do not exceed that limit shall be advised to destination and the value of the remaining money order or money orders as actually paid in Indian currency at the time of issue shall be repaid to the remitter, who shall not, however, be granted a refund of the commission or of the telegraph charges paid by him in respect of such money order or money orders. No telegraphic money order for the United Kingdom shall include any fraction of a penny.]

<sup>1</sup>[137B. (1) The fee for a telegraphic money order issued for payment in the United Kingdom shall be charged at the rate of commission applicable to an ordinary money order payable in the United Kingdom *plus* a telegraph charge calculated on the actual number of words used in the telegram advising the remittance at the rate in force for the time being for an ordinary or deferred telegram, as the case may be.

(2) The remitter may have a private communication to the payee added to the telegram advising the remittance on paying for the additional words at the rate in force for the time being for an ordinary or deferred telegram, as the case may be.

(3) The remitter may obtain an advice of payment on paying the fee charged for such advice in the case of an ordinary money order: provided that, if he desires that the request for the advice should be communicated to the post office of payment by telegraph, a further charge at the rate for the time being in force for an ordinary or deferred telegram, as the case may be, shall be made for the additional words "advice payment" which shall be added to the telegraphic message. The remitter also may prepay the telegraph charge for a reply at the ordinary rate only.

137C. Rules 105, 106, 107, 108 and 112 relating to the issue of telegraphic inland money orders shall apply to the issue of telegraphic money orders for the United Kingdom.

137D. The payment in India of a United Kingdom telegraphic money order shall ordinarily be made as soon as practicable after the receipt of the telegraphic advice, at the address of the payee on his signing a receipt for the amount paid. Rules 111, 112 and 127 relating to the payment of telegraphic inland money orders and foreign sterling money

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<sup>1</sup> Added by Notification No. 12761, dated 20th October, 1917, *see* Gazette of India, 1917, Pt. I, p. 1706. -

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

orders, shall so far as may be, apply to the payment in India of United Kingdom telegraphic money orders.]

<sup>1</sup>[137E. A United Kingdom telegraphic money order shall be re-directed to the payee by post, free of charge, on his written request, or when there is sufficient trustworthy information upon which to redirect the order.

137F. If the payee of a United Kingdom telegraphic money order cannot be found or should the payee refuse to take payment, a reference shall be made to the office of issue, and if so desired by the remitter, the telegraphic money order shall be reissued by post, free of any further charge, for repayment to him.

137G. The remitter of a telegraphic money order for the United Kingdom may, on receipt of information from the office of issue that the order has not been paid, require that the name or address of the payee or both shall be altered or that the amount shall be repaid to him. Any such instructions shall be communicated by telegraph to the office of destination in the United Kingdom on the remitter's paying the cost, at the ordinary rate, of twelve words for a private message to that country.]

*Foreign money orders telegraphed to offices of exchange.*

138. The remitter of a foreign money order drawn on any country except <sup>2</sup>[Ceylon, the Seychelles, Great Britain and Northern Ireland, the Irish Free State, Iraq, Mauritius, the Federated Malay States and the Straits Settlements], with which money orders are exchanged, may have the particulars of the money order telegraphed to the Indian office of exchange concerned, and that office shall, on receipt of the telegraphic advice, issue by post a money order on the country of payment under the rules relating to foreign money orders.

<sup>3</sup>[139. The fees, the limits of value and the other conditions laid down in rules 103, 104, 105, 106, 107, 108, 112, 114, 115 and 116 relating to inland telegraphic money orders shall apply in the case of foreign *rupee* money orders telegraphed to offices of exchange, except that the remitter shall not be entitled to have a private communication added to the telegram advising the remittance.]

<sup>1</sup> Substituted by Notification No. 9343, dated 15th November, 1919, see Gazette of India, 1919, Pt. I, p. 2203.

<sup>2</sup> Substituted by Notification No. 77-P. T., dated 9th May, 1925, see Gazette of India, 1925, Pt. I, p. 384.

<sup>3</sup> Substituted by Notification No. 1202—21, dated 28th February, 1914, see Gazette of India, 1914, Pt. I, p. 288.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

#### Rules as to rates of postage, money orders, insurance, etc.—*contd.*

<sup>1</sup>[Provided that in the case of such money orders telegraphed from India to Aden or from Aden to India, the fees shall be made up of (i) the money order commission at the rates applicable to inland ordinary money orders, and (ii) a telegraph charge calculated on the actual number of words used in the telegram advising the remittance at the rate in force for the time being for an ordinary or deferred telegram, as the case may be, for Aden.]

140. The amount for which a single foreign *sterling* money order may be telegraphed to the office of exchange shall not exceed £40, and shall not include any broken sum less than £1.

<sup>2</sup>[141. A fee for the issue of a foreign *sterling* money order telegraphed to the office of exchange shall be charged at the rate of commission on a foreign *sterling* money order for the same amount, added to a telegraph charge calculated at the rates for inland telegrams for the actual number of words used in the telegram advising the remittance, according as the telegram is to be sent as an "Express" or as an "Ordinary" message.]

<sup>1</sup>[Provided that in the case of such money orders telegraphed from India to Aden or from Aden to India, the fees shall be made up of (i) the money order commission at the rates applicable to a foreign *sterling* money order for the same amount, and (ii) a telegraph charge calculated on the actual number of words used in the telegram advising the remittance at the rate in force for the time being for an ordinary or deferred telegram, as the case may be, for Aden.]

142. Rules 105, 106, 107, 108, and 112, relating to telegraphic inland money orders, shall be equally applicable to foreign *sterling* money orders telegraphed to offices of exchange.

## PART VII.—OFFICIAL POSTAL ARTICLES.

### I.—INLAND OFFICIAL POSTAL ARTICLES.

143. Official postal articles shall be transmitted by post under the following conditions:—

- (a) The rates of postage and conditions of transmission by post hereinbefore prescribed for the different classes of unofficial postal articles and the rules under which such articles may

<sup>1</sup> Substituted by Notification No. 95-P.-T., dated 1st March, 1924, see Gazette of India, 1924, Pt. I, p. 192.

<sup>2</sup> Substituted by Notification No. 1202—21, dated 28th February, 1914, see Gazette of India, Pt. I, p. 288.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

#### Rules as to rates of postage, money orders, insurance, etc.—*contd.*

be registered, insured, or sent value-payable shall be applicable also to official postal articles of the same classes.

EXCEPTION 1.—The condition that postage shall be prepaid in full on postcards does not apply to "Service Unpaid" postcards in the cases mentioned in rules 144 and 148 (2).

EXCEPTION 2.—The condition that unpaid letters must be securely closed by the senders shall not apply to letters sent unpaid under the provisions of rules 144 and 148—2.

- (b) The weight of an official postal article shall not exceed 600 tolas when the article is a letter or packet, or 800 tolas when it is a parcel.
- (c) Official postal articles, whether the postage is prepaid or not, shall bear the superscription "On His Majesty's Service" or "On Service," and this shall be supported by the signature and official designation—to be entered in the lower left-hand corner of the article—of the officer who sends the article, or of the Head Clerk or Superintendent of his office or other responsible officer to whom the duty of despatching is confided.

NOTE.—Inland rates of postage and condition shall be applicable also to official letters, postcards, newspapers, and book, pattern, and sample packets, when posted

Baghdad.	Bushire.	in British India and addressed to any of the places named
Bandar Abbas.	Jask.	in the margin for which post offices have been established
Busrah.	Linga.	by the Governor General in Council beyond the limits of
	Mohammerah.	British India or posted at any of the post offices established

by the Governor General in Council at those places and addressed to any other of those places or to any place in British India.

*Explanation 1.*—Service postcards bear the inscription "On Service" printed immediately above the impressed stamp. In their case, therefore, no further superscription shall be required.

*Explanation 2.*—Postmasters may recognise abbreviated designations, provided they are generally known; but no official can claim the recognition of an abbreviation, the rule being that the designation shall be entered in full.

*Explanation 3.*—Postmasters may recognise *facsimile* impressions of signatures made by means of stamps, but not such impressions when lithographed or otherwise produced. Public officers who use such stamps shall make arrangements for their proper custody and use; and where there is any reason to suspect the misuse of any such stamp or the absence of proper precautions against its misuse, postmasters may decline to recognise the stamp impression and require strict adherence to the rule. Printed names shall not be recognised in lieu of signatures except

<sup>1</sup> Added by Notification No. 4988—G7, dated 28th June, 1913, see Gazette of India, 1913, Pt. I, p. 663.

## Part II.—General Rules and Orders Made Under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

in the case of official Gazettes in open covers posted in large numbers by the office of publication.

(d) Service stamps affixed to an article which does not bear the prescribed superscriptions supported by the signature and official designation of the sender shall not be recognised by the post office in payment of postage.

(e) The delivery and re-direction of articles superscribed "On His Majesty's Service" or "On Service" shall be governed by the official designation (when given) of the addressee.

144. (1) The postage chargeable on the delivery of official postal articles, when the postage is not prepaid or is insufficiently prepaid, shall be as follows:—

'[On an unpaid postcard, letter or packet . . . The prepaid rate.

On an insufficiently paid postcard, letter or packet . . . The deficiency.

(2) In cases where it is not thought advisable to entrust postage stamps to a subordinate official who has to correspond with, or to send returns to, a superior, he may be allowed by his superior to post to him official articles other than parcels without prepaying the postage, and the same course may be adopted in other cases where it is found convenient or proper to make the postage charge fall on the receiving office.

NOTE.—The prepayment of postage on parcels is compulsory.

145. The following persons shall be entitled to send official postal articles on His Majesty's Service, subject to the conditions noted against each:—

(a) All Government officials, except those who are on leave or have retired from the service, provided that the articles posted by them are *bonâ fide* and exclusively on His Majesty's service.

<sup>2</sup>[(b) The Registrars of the Universities of Calcutta, Madras, Bombay, Allahabad, Patna, Rangoon, <sup>3</sup>[Delhi], <sup>4</sup>[Dacca], <sup>5</sup>[Lucknow], and the Punjab, provided that the articles

<sup>1</sup> Substituted by Notification No. 14350—161, dated 12th December, 1914, see Gazette of India, 1914, Pt. I, p. 2077.

<sup>2</sup> Substituted by Notification No. 807-P. W., dated 29th October, 1921, see Gazette of India, 1921, Pt. I, p. 1482.

<sup>3</sup> The word "Delhi" was inserted by Notification No. 1279-P. W., dated 8th July, 1922, see Gazette of India, 1922, Pt. I, p. 808.

<sup>4</sup> The word "Dacca" was inserted by Notification No. 48-P. T., dated 30th August, 1924, see Gazette of India, 1924, Pt. I, p. 775.

<sup>5</sup> The word "Lucknow" was inserted by Notification No. 97-(1)-P. T., dated 14th March, 1925, see Gazette of India.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

*Illustration.*—The Commissioner of a Division, writing in that capacity to the Secretary of a Local Fund Committee concerning its affairs, may superscribe the letter “On His Majesty’s Service.”

147. The postage and other charges (if any) on an official postal article can be properly prepaid only by a proper service stamp or stamps. Where, however, an ordinary postage stamp instead of a service stamp is used on an official postal article, the article shall be recognized as an official postal article by the post office; but the irregularity shall be brought by the officer in charge of the post office at which the article was so posted, to the notice of the officer concerned and, if of frequent occurrence to that of the Postmaster-General.

**NOTE.**—Service stamps and postcards shall not be sold at post offices, but shall be obtainable by Government officials and persons specially authorised to purchase and use service stamps, at Government Treasuries. Service stamps may also be obtained by the public from the Calcutta Central Stamp Depot, provided that the value of the stamps purchased by any person at one time shall not be less than Rs. 25, and that an extra charge of two annas in the rupee, calculated with face value, shall be made over to cover incidental expenses.

148. (1) Letters, postcards and packets posted by officers of the Government in their official capacity, addressed to private individuals or associations, shall, even when they relate to the private interests and concerns of the individuals or associations addressed, be sent as official postal articles, prepaid by means of service stamps.

**EXCEPTION.**—Nothing in this sub-rule shall affect (a) the practice of the Law Courts in regard to the despatch of “certified copies” to persons who do not appear to take them personally, and of documents filed in judicial cases the return of which has been applied for, or (b) the despatch of packets containing books or publications purchased from Government. Such documents, books, or publications may be posted by the judicial or other Government officers concerned, in covers superscribed “Service Unpaid,” and covers so superscribed shall be charged, on delivery, with postage at the rates to which they would have been liable if the postage had been prepaid. All articles so posted shall be endorsed under the full signature and official designation of the sender, according to the specimen form given on the margin.

*Service unpaid.*  
B., Calcutta.  
C.D. Commissioner  
Gorakhpur.

(2) Letters, postcards, and packets, sent by private persons to officers of the Government relating to the affairs of the Government, if superscribed “Service Unpaid,” shall be charged, on delivery, with postage at the rates to which they would have been liable if the postage had been prepaid, and not at double rates as in the case of ordinary articles: Provided that any article so sent is addressed to the full official designation of the officer for whom it is intended, and that it has been endorsed under the full signature of the sender according to the specimen form given on the margin.

*Service unpaid.*  
To The District Superintendent of Police, Lucknow.  
Signature of sender.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

#### Rules as to rates of postage, money orders, insurance, etc.—*contd.*

*Explanation.*—Under the provisions of this rule may be sent reports regarding the occurrence of crime from a zamindar to a police officer, returns required to be sent from employers of labourers to the Protector and any similar reports or returns authorised to be so sent.

149. The amount of postage marked as due on postal articles delivered under the superscriptions of "Service Unpaid" or "On His Majesty's Service" or "On Service" shall be initialled by the postmaster, or other officer authorised in this behalf by the Postmaster-General, of the office of delivery, and whenever any alteration is necessary in the amount as entered in figures, the amount due shall be written in words and attested by the signature, in full, of the postmaster or other officer aforesaid. Officers of the Government shall be bound to receive, and to pay any postage which may be due on articles addressed to them under the superscription "On His Majesty's Service" or "On Service" and bearing the signature in full of the sender.

### II.—FOREIGN OFFICIAL CORRESPONDENCE.

150. Official correspondence transmitted by the foreign post, with the exception of correspondence exchanged with Ceylon, shall be subject to the same rates and be governed by the same rules as ordinary private correspondence. Service stamps may be used on official correspondence addressed to the United Kingdom or British possessions only. If service stamps are used for the prepayment of postage, they shall be supported by the superscription and signature prescribed by clause (c) of rule 143 relating to inland official postal articles.

151. The amount of postage marked as due on postal articles received by the foreign post for delivery to officers of the Government shall be initialled by the postmaster, or other officer, authorised in this behalf by the Postmaster-General, of the office of delivery.

152.<sup>1</sup>

\* \* \* \* \*

### PART VIII.—GENERAL RULES.

#### <sup>2</sup>[I.—MANNER OF PREPAYMENT OF POSTAGE AND OTHER CHARGES ON POSTAL ARTICLES.

<sup>2</sup>[153. Where the postage or other fees or sums chargeable on a postal article is prepaid or are prepaid the prepayment shall be made either by

<sup>1</sup> Paragraph 152 was omitted by Notification No. 95-P. T., dated 20th December, 1924, see Gazette of India, 1924, Pt. I, p. 1110.

<sup>2</sup> Substituted by Notification No. 466-P. W., dated 17th March, 1923, see Gazette of India, 1923, Pt. I, p. 257.



## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

means of a proper stamp or stamps provided for the purpose by the orders of the Governor General in Council under section 16 of the Act or by means of a proper impression or impressions of stamping machines or in cash, subject to such terms and conditions as the Director-General may from time to time prescribe.]

154. The [postage and other charges]<sup>1</sup> shall not be deemed to be prepaid by means of a proper stamp—

- (a) if the stamp is a stamp which has not been provided for use as a postage stamp under section 16 of the Act; or
- (b) if the stamp has been obliterated, defaced, torn, cut, or otherwise rendered imperfect; or
- (c) if the stamp has upon it any word, letter, figure or design printed or impressed upon it, otherwise than by the authority of the Government before posting; or
- (d) if the stamp has been cut or otherwise separated from an embossed envelope or from a postcard or wrapper:

Provided that nothing in this rule shall prevent the perforation of postage stamps with initials, or other identifying marks, traced in minute holes.

NOTE.—The special registration envelopes provided by the Post Office, bearing embossed stamps denoting the registration fee and the initial rate of letter postage, cannot be used for the transmission of unregistered postal articles.

### II.—PRICE OF STAMPS.

155. Adhesive postage stamps shall be sold in each case for the denoted value of the stamp or stamps.

156. The small half-anna oblong envelopes and postcards shall be sold, in each case, for the denoted value of the stamp or stamps which they bear.

157. The envelopes and wrappers specified below shall be sold at the following prices, namely:—

#### <sup>2</sup>[SQUARE ENVELOPES.

##### *Half anna.*

	Rs.	A.	P.
For 1 envelope . . . . .	0	0	9
For 2 envelopes . . . . .	0	1	6
For 3 envelopes . . . . .	0	2	3
For 4 envelopes . . . . .	0	3	0
For 5 envelopes . . . . .	0	3	6
Packets of 20 envelopes per packet . . . . .	0	14	0]

<sup>1</sup> These words were substituted for the words "postage on a postal article" by Notification No. 106-P. W., dated 17th March, 1923, see Gazette of India, 1923, Pt. I, p. 257.

<sup>2</sup> Substituted by Notification No. 11527, dated 29th September, 1917, see Gazette of India, 1917, Pt. I, p. 1605.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

#### WRAPPERS.

##### (1) *Half-anna.*

	Rs.	A.	P.
Any number less than 6 . . . . .	0	0	7 each.
Packets of 6 . . . . .	0	3	6 per packet.

##### (2) *One-anna.*

	Rs.	A.	P.
Any number less than 6 . . . . .	0	1	1 each.
Packets of 6 . . . . .	0	6	6 per packet.

### III.—CERTIFICATES OF POSTING.

158. (1) A certificate of posting may be obtained in respect of any postal article for which a receipt is not given by the post office subject to the following conditions, namely:—

(a) The certificate of posting written in ink shall be presented to an officer on duty at the post office along with the article to be posted, during the hours fixed for the grant of such certificates;

(b) the certificate shall contain an exact copy of the addresses on the articles to which it relates, and shall have a postage stamp, or stamps, affixed thereto in payment of a fee to be charged as follows:—

- |   |   |  |
|---|---|--|
| <p>(i) In the case of unregistered letters, postcards, book packets (including registered newspapers) and pattern packets, posted by the same person at one time.</p> | } | <p><math>\frac{1}{4}</math>-anna for every three articles of any of these classes, or for any less number.</p> |
| <p>[(ii) In the case of unregistered parcels posted by the same person at one time.</p>   | } | <p><math>\frac{1}{4}</math>-anna for every six articles or for any less number.]</p>                           |

\* Substituted by Notification No. 5110, dated 14th August, 1920, see Gazette of India, 1920, Pt. I, p. 1542.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

INDIAN POST OFFICE ACT, 1898 (VI of 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

(2) There shall be a separate certificate for each of these two classes of articles (i) and (ii), headed with the words "Certificate of posting" and the actual number of articles in respect of which the certificate is required shall be written in words at the foot of the document.

(3) The officer on duty shall compare the number of the articles presented and the addresses on them with the entries in the certificate, and, if the latter be correct, shall obliterate the postage, stamps and impress the date-stamp upon the certificate. The certificate shall then be returned to the person who presented it.

IV.—LATE LETTERS AND LATE LETTER FEES.

159. Late letters shall mean letters posted after the hour fixed for the closing of a mail, which cannot be forwarded by the mail then being prepared for despatch without the payment of an additional fee.

160. The ordinary late letter fee for postal articles other than parcels to be transmitted by the Inland or Foreign post shall be half-an-anna for each postal article.

161. The late letter fee in respect of registration for articles to be transmitted by the Inland or Foreign post shall be two annas for each postal article.

162. In special cases, a higher fee than half-an-anna, but not exceeding four annas, for each postal article, may be charged on postal articles, other than parcels, posted for transmission by the Inland or Foreign post at Presidency-towns or on board steamers or in other special circumstances. The Director-General shall, from time to time, notify in the *Gazette of India* the amount of such fees and the circumstances in which they are chargeable.

163. Late letters shall be presented at the window of the post office within the hours prescribed for this purpose by the Postmaster-General, and the postage and late letter fee shall be fully prepaid by means of postage stamps.

V.—RE-DELIVERY TO THE SENDER OF POSTAL ARTICLES IN COURSE OF TRANSMISSION BY POST.

164. Inland letters, postcards, book and pattern packets and parcels, and foreign registered articles of the letter mail and foreign registered parcels, which have not been despatched from India, may be recalled

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

when in course of transmission by post without reference to the consent of the addressee subject to the following conditions, namely:—

(a) No such postal article as aforesaid shall be re-delivered to the sender except under the orders of—

<sup>1</sup>[(i) the Presidency Postmasters, Calcutta, Bombay and Madras and the Postmasters, <sup>2</sup>[Rangoon, Lahore, Aden and Karachi] in respect of articles posted within their jurisdiction];

<sup>1</sup>(ii) the chief postal authority in a postal circle;

<sup>1</sup>(iii) the Director General;

<sup>1</sup>(iv) the Local Government; or

<sup>1</sup>(v) the Governor General in Council.

(b) A fee of one rupee shall be paid in respect of each postal article for the re-delivery of which to the sender an application is made. <sup>3</sup>This fee will in no case be refunded.

(c) An application for the re-delivery to the sender of a postal article may be presented in writing to any of the authorities aforesaid either direct or through any officer in charge of a post office.

(d) An application shall be received only from the sender of the postal article or from some person authorised in this behalf by the sender in writing.

(e) Every application shall be accompanied by a statement (which may be enclosed in a sealed cover) of the reasons why re-delivery is sought. Such sealed cover shall be opened only by the authority to which the application is presented, or, where such authority is a Local Government or the Governor General in Council, by a Secretary to the Local Government or the Government of India, as the case may be.

<sup>4</sup>[(f) Upon receiving such application and statement, together with the prescribed fee as aforesaid the officer in charge of the post office shall, if he is not one of the officers mentioned in condition (a) (i) or subordinate to one of those officers, send

<sup>1</sup> Item (i) was inserted and the existing items were re-numbered by Notification No. 2087, dated 15th May, 1920, *see* Gazette of India, 1920, Pt. I, p. 1007.

<sup>2</sup> These words were substituted for the words "Rangoon and Lahore" by *ibid.*

<sup>3</sup> Added by Notification No. 7508, dated 30th October, 1920, *see* Gazette of India, 1920, Pt. I, p. 2065.

<sup>4</sup> Substituted by Notification No. 2087, dated 15th May, 1920, *see* Gazette of India, 1920, Pt. I, p. 1007.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**INDIAN POST OFFICE ACT, 1898 (VI of 1898).**

**Rules as to rates of postage, money orders, insurance, etc.—*contd.***

the same to the chief postal authority in the postal circle in which he is serving. If he is one of the officers mentioned in condition (a) (i), he shall immediately take action on the application in accordance with condition (i). If he is subordinate to one of the officers mentioned in condition (a) (i), he shall immediately send the application, statement and fee to that officer.]

- <sup>1</sup>[(g) If the postal article, of which re-delivery is sought, is in his possession, the officer in charge of the post office shall, instead of forwarding it to the addressee, keep it in deposit, and, if he is not one of the officers mentioned in condition (a) (i) shall send the application to the authority mentioned in conditions (a) (i) and (ii) to whom he is subordinate.]
- (h) If the postal article is not in his possession, the said officer shall require the officer in charge of the post office of address in the case of an inland postal article, and of the office of foreign exchange in the case of a foreign registered postal article, to abstain from delivering it to the addressee or from sending it to its address, and to keep it in deposit. The requisition to such other officer may be sent by telegraph, but all expenses attending its transmission shall be borne by the applicant.
- (i) When the application reaches such an authority as is named in condition (a), that authority may order the re-delivery to the sender of the postal article upon being satisfied that the applicant is the sender, and that sufficient reasons have been given for the re-delivery, otherwise the postal article shall be sent at once to its address.
- (j) A letter or postcard in course of transmission by post shall not be re-delivered to any one but the sender or some person authorised in this behalf by the sender in writing.

**VI.—DETENTION IN THE POST OFFICE OF BOOK AND PATTERN PACKETS AND PARCELS.**

165. Book packets (other than newspapers) and pattern packets shall not be detained at the post office at which they were posted, for a period exceeding one day.

166. (1) Book packets (other than newspapers) and pattern packets received from abroad shall not be detained in the post office at the port

<sup>1</sup> Substituted by Notification No. 2037, dated 15th May, 1920, *see* Gazette of India, 1920, Pt. I, p. 1007.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

#### Rules as to rates of postage, money orders, insurance, etc.—*contd.*

of arrival for a period exceeding one day exclusive of the day on which the mail steamer reaches such port:

Provided that nothing in this rule shall prevent any further detention at the port of arrival that may be necessary for the purpose of customs examination or inquiries.

(2) Book packets, containing printed papers obviously without value such as circulars, price lists and advertisements, when received from abroad at Bombay, shall not be detained in the Bombay post office for a period exceeding two days exclusive of the day on which the mail steamer reaches Bombay.

167. The delivery of book packets (other than newspapers), and pattern packets shall not be delayed beyond the delivery next following that by which they would ordinarily be delivered.

168. Parcels shall not be detained at the post office at which they are posted for a period exceeding one day.

169. Parcels received from abroad shall not be detained at the post office at the port of arrival for a period exceeding two days exclusive of the day on which the mail steamer reaches such port:

Provided that nothing in this rule shall prevent any further detention at the port of arrival that may be necessary for the purposes of customs examination or inquiries.

170. Subject to the limitations expressed in rules 168 and 169, parcels shall be delivered at such times and by such deliveries as the Director-General may direct.

### VII.—DETENTION AND DISPOSAL OF UNDELIVERED POSTAL ARTICLES.

#### *At the post office of address.*

171. (1) An undelivered postal article, the addressee of which is not known or has left the station of address without intimating his fresh address to the post office, shall ordinarily be kept in deposit in the head, sub, or branch post office to which it is addressed for a period of seven days after all inquiries to find the addressee have proved unsuccessful.

(2) An undelivered postal article, on which the words "Poste Restante," "To await arrival," or similar instructions have been written, shall remain in the post office to which it is addressed—

(a) for a period of four months from the date on which it reached the post office if the office is at a Presidency or seaport town;

(b) for a period of one month in all other cases.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## INDIAN POST OFFICE ACT, 1898 (VI of 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

(3) An undelivered postal article shall ordinarily not remain in a post office to which it has been re-directed, after it has been ascertained that the addressee cannot be found.

(4) An undelivered telegram, which is in course of transmission by post, shall remain in the post office to which it is addressed, for a period of three days from the date on which it reached that office.

172. An undelivered postal article, of which the addressee—

- (a) has refused to take delivery, or
- (b) is known to have gone away from India without leaving instructions at the post office as to the re-direction of his correspondence, or
- (c) is dead, and there is no person to whom the article could properly be delivered,

shall not be detained in the post office to which it is addressed.

*In the office of the Postmaster-General.*

173. Packets containing printed papers, obviously without value, such as trade circulars and price lists, which cannot be disposed of under section 38 of the Act, may be disposed of forthwith by being sold as waste paper or destroyed.

174. Postcards which cannot be disposed under section 38 of the Act shall be detained for a period of one month, on the expiration of which they may be destroyed by being burnt: Provided that postcards, other than those sent "Service Unpaid" under the provisions of rule 148 on which the postage has not been prepaid, shall be destroyed forthwith by being burnt.

175. Book packets, other than the packets mentioned in rule 173, newspapers and pattern packets, which cannot be disposed of under section 38 of the Act, shall be detained for a period of three months, on the expiration of which they may be disposed of by being sold or destroyed. Magazines, periodicals and newspapers may, at the option of the Postmaster-General, be used for any public purpose.

176. Subject to the provisions of section 39, proviso (b), of the Act, parcels which cannot be disposed of under section 38, shall be detained for a period of three months, on the expiration of which the contents, if of no saleable value, may be destroyed.

177. Letters which cannot be disposed of under section 38 of the Act, shall be dealt with as follows:—

- (a) Letters containing nothing of intrinsic value shall be detained for a period of—
  - (i) one month, when they are unregistered, and
  - (ii) three months, when they are registered.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

(b) Other letters shall be detained for a period of—

(iii) three months, when the postage is not prepaid or is insufficiently prepaid, and

(iv) six months, when the postage is fully prepaid.

On the expiration of the prescribed period, the letters shall be destroyed by being burnt:

[<sup>1</sup>Provided that unpaid letters, other than those sent under the provisions of rules 144 and 148, which have not been securely closed by the senders, shall be destroyed forthwith by being burnt.

178. Nothing in these rules shall prevent the immediate destruction of any postal article in exercise of the powers conferred by section 23, sub-section (3) of the Act.

### VIII.—COMPLAINTS AGAINST THE POST OFFICE AND THE TELEGRAPH DEPARTMENT.

179. Letters containing complaints against the Post Office or the Telegraph Department may be transmitted by the inland post, free of postage, provided that they are addressed to a postal or telegraph officer, and provided that it is certified on the cover under the full signature of the sender, that they are complaints against the post office or the Telegraph Department, as the case may be.

### IX.—GRATUITIES TO BE PAID TO MASTERS OF SHIPS.

180. With effect from the first day of April, 1908, gratuities shall be payable to the masters of ships, not being mail ships, in respect of postal articles received by them for conveyance on behalf of the post office, at the following rates, namely:—

	Rs.	A.	P.	
Letters and postcards . . . . .	1	3	0	per pound.
Packets . . . . .	0	2	0	per pound.
Parcels . . . . .	0	1	0	per pound or part of that weight.

NOTE.—As regards letters and postcards or packets, for a lower or higher weight than one pound, the gratuity payable shall be proportionately lower or higher, as the case may be.

<sup>1</sup> For addition of proviso, see footnote 1, p. 1416, *supra*.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.**

**INDIAN POST OFFICE ACT, 1898 (VI OF 1898).**

Rules as to rates of postage, money orders, insurance, etc.—*contd.*

181. The gratuities shall be payable at the time when the mail bags are made over to the masters of the ships by which they are to be conveyed, and on the granting of a receipt for the bags in the form below:—

*Received from the Postmaster* \_\_\_\_\_  
*the following mail bags:—*

From	To	No.	Remarks.
Total (in figures and words)			

Dated A.M. \_\_\_\_\_ 19 .  
P.M. \_\_\_\_\_

*N.B.*—When one form is not sufficient for all the entries, the forms which are used must be numbered in consecutive order, and the word "Last" must be written at the top of the last form.

Master \_\_\_\_\_  
S.S. " \_\_\_\_\_

**X.—AUTHORISING POSTAL OFFICIALS TO SEARCH FOR AND TO INTERCEPT CERTAIN PROHIBITED ARTICLES.**

182. Postal articles found in course of transmission by post to bear words, marks or designs of a seditious character shall be made over to the Provincial Criminal Intelligence Department for disposal. All other postal articles which are sent by post in contravention of section 20 of the Act, shall be destroyed or otherwise dealt with in such manner as the Postmaster-General may direct.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

#### Rules as to rates of postage, money orders, insurance, etc.—*contd.*

183. The officers noted in the margin are empowered to search, or

(1) The Presidency Postmaster, Deputy Postmaster, and Assistant Postmasters at Bombay.

(2) The Postmaster, Belgaum (Bombay).

(3) The Assistant Mail Officers, Bombay-Aden Sea Post Office.

<sup>2</sup>[(4) The Postmaster, Deputy Postmaster and Assistant Postmasters at Karachi.]

<sup>3</sup>[(5) The Postmaster of Quetta, Base Postmaster of Duzdap and Field Postmaster, Koh-i-Malik-Siah-Ziarat (for articles for Seistan and Khorasan in Persia).]

(6) The Presidency Postmaster, Deputy Postmaster, and Assistant Postmasters at Madras.

<sup>4</sup>[(7) The Postmaster, Deputy Postmaster and Assistant Postmaster, Dhanushkodi.]

<sup>5</sup>[(8) The Postmaster, Deputy Postmaster and Assistant Postmaster, Negapatam.]

(9) The Postmaster, the Deputy Postmaster, and the Assistant Postmasters at Rangoon.

(10) The Presidency Postmaster, the Deputy Postmaster, and the Assistant Postmasters at Calcutta.

[(11) The head sorters of the F. M. Division.]<sup>4</sup>

(1) The Mail Officer for the time being in charge of the Bombay-Aden Sea Post Office.

<sup>2</sup>[(2) The Postmaster, Deputy Postmaster and Assistant Postmasters at Karachi.]

(3) The Presidency Postmaster, the Deputy Postmaster, and the Assistant Postmaster at Bombay.

(4) The Presidency Postmaster, the Deputy Postmaster, and the Assistant Postmasters at Madras.

(5) The Postmaster and the Deputy Postmaster at [Dhanushkodi].<sup>3</sup>

(6) The Presidency Postmaster, the Deputy Postmaster, and the Assistant Postmasters at Calcutta.

(7) The Postmaster, the Deputy Postmaster and the Assistant Postmasters at Rangoon.

(8) The Postmaster at Akyab.

(9) The Postmaster at Negapatam.

(a) Opium and all alkaloids of opium and all intoxicating drugs made from the poppy,

cause search to be made, for

bird's skins and feathers in

course of transmission by post

to any place out of British

India, the taking of which by

sea or by land out of British

India is prohibited. The said

officers shall deliver all

<sup>1</sup>[postal articles reasonably

believed or found to contain

such skins and feathers] to the

nearest Collector of Customs.

184. The officers noted in

the margin are empowered to

search, or cause search to be

made for—

<sup>1</sup> These words were substituted by Notification No. 6160—86, dated 2nd August, 1913, published in the Gazette of India, 1913, Pt. I, p. 738.

<sup>2</sup> Substituted by Notification No. 145 (1)-P. T., dated 5th December, 1924, see Gazette of India, 1924, Pt. I, p. 1661.

<sup>3</sup> Substituted by Notification No. 942-D., dated 27th December, 1919, see Gazette of India, 1919, Pt. I, p. 2447.

<sup>4</sup> Added by Notification No. 6832, dated 6th September, 1919, see Gazette of India, 1919, Pt. I, p. 1799.

<sup>5</sup> Substituted for the word "Tuticorin" by Notification No. 9536—105, dated 26th June, 1915, see Gazette of India, 1915, Pt. I, p. 813.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## INDIAN POST OFFICE ACT, 1898 (VI of 1898).

Rules as to rates of postage, money orders, insurance, etc.—*concl'd.*

- (b) Ganja, bhang and charas and every intoxicating drink or substance prepared from any part of the hemp plant (*Cannabis sativa*),
- (c) Coca leaves, alkaloids of coca, every other intoxicating drink or substance prepared from the coca plant (*Erythroxylum coca*) and all drugs, synthetic or other, having a like physiological effect to that of cocaine,
- (d) All preparations and admixtures of any of the above,

the bringing of which by sea or by land into British India is prohibited in course of transmission by post to any place in British India. The said officers shall deliver all <sup>1</sup>[postal articles reasonably believed or found to contain such goods] to the nearest officer for the time being in charge of the Excise Administration, and the articles shall be disposed of in accordance with the rules for the time being in force relating to the drugs and substances referred to above, confiscated under the provisions of the Excise law in force for the time being in the part of British India in which the actual delivery of the articles so found was made to the Excise officer aforesaid.

185. The officers noted in the margin are empowered to search, or cause search to be made, for hypodermic syringes <sup>2</sup>[the bringing of which by sea or by land into Burma, by means of the post, is restricted]. The said officers shall deliver all <sup>3</sup>[postal articles to contain such goods] to the nearest
- (1) The Postmaster, the Deputy Postmaster, and the Assistant Postmaster at Rangoon.
  - (2) The Postmaster at Akyab.

reasonably believed or found to contain such goods] to the nearest Customs officer for disposal in accordance with the provisions of the Sea Customs Act, 1878 (VIII of 1878).

186. The officers noted in the margin are empowered to search, or cause search to be made for any copy of seditious publications, the bringing of which by sea or by land into British India is prohibited, in course of transmission by post to any place in British India. The said officers shall deliver all <sup>3</sup>[postal articles reasonably believed or found to contain such goods] to the
- All officers in charge of head or sub-post offices, including Deputy and Assistant Postmasters, all Assistant Mail Officers in charge of Sea Post Offices, etc., and all Superintendents, Assistant Superintendents, Inspectors and Head Sorters of the Railway Mail Service.

Director of Criminal Intelligence.

[See Gazette of India, 1913, Pt. I, p. 430.]

<sup>1</sup> These words were substituted by Notification No. 4534—41, dated 14th June, 1913, published in the Gazette of India, 1913, Pt. I, p. 627.

<sup>2</sup> These words were substituted by Notification No. 95-P. T., dated 12th April, 1924, see Gazette of India, 1924, Pt. I, p. 294.

<sup>3</sup> See footnote 1, on p.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### INDIAN POST OFFICE ACT, 1898 (VI OF 1898).

#### Customs Duties.

*No. 771-D., dated the 1st February, 1919.*—In exercise of the powers

\* (1) The Postmaster and Deputy Postmaster, Pondicherry.<sup>1</sup>

(2) The Sub-Postmaster, Karikal.

(3) The Presidency Postmaster, Deputy Postmaster and Assistant Postmasters at Madras.

(4) The Postmaster, Deputy Postmaster and Assistant Postmaster, Dhanushkodi.<sup>1</sup>

(5) The Postmaster, Deputy Postmaster and Assistant Postmaster, Negapatam.<sup>1</sup>

conferred by section 25 of the Indian Post Office Act, 1898 (VI of 1898), as subsequently amended, the Governor General in Council is pleased to empower the officers noted in the margin\* to search or cause search to be made, for opium, ganja or bhang in postal articles posted in the British Post Offices in Pondicherry or Karikal or in any

place in the Madras Presidency for transmission to any place in Ceylon, the taking of these articles by sea out of the Madras Presidency being prohibited by notifications of the Government of India, No. 4311, dated the 5th December, 1872, and No. 769-D., dated the 1st February, 1919. He is further pleased to direct that the said officers shall deliver all postal articles reasonably believed or found to contain opium, ganja or bhang to the nearest Customs Collector.

[See Gazette of India, 1919, Pt. I, p. 262.]

*No. 1507-P.W., dated the 12th August, 1922.*—In exercise of the

1. The Presidency Postmaster, Deputy Postmaster and Assistant Postmasters at Bombay.

2. The Postmaster, Deputy Postmaster, and Assistant Postmasters at Karachi.<sup>2</sup>

3. The Presidency Postmaster, Deputy Postmaster and Assistant Postmasters at Calcutta.

4. The Presidency Postmaster, Deputy Postmaster and Assistant Postmasters at Madras

5. The Postmaster, Deputy Postmaster and Assistant Postmaster at Dhanushkodi.

6. The Postmaster, Deputy Postmaster and Assistant Postmaster at Negapatam.

7. The Postmaster, Deputy Postmaster and Assistant Postmasters at Rangoon.

powers conferred by section 25 of the Indian Post Office Act, 1898 (VI of 1898), and in supersession of the Notification of the Government of India in the Department of Commerce and Industry, No. 1466-D., dated the 15th December, 1917, the Governor General in Council is pleased to empower the postal officers specified in the margin to search, or cause search to be made, amongst all articles in course of transmission by post to any place in British India for living plants and all portions thereof (including seeds and fruits), the import of which by sea or land into

British India is prohibited, regulated or restricted by the Notification in Department of Revenue and Agriculture, No. 580-240, dated the 26th-29th June, 1922, and to direct that the said officers shall deliver all postal articles reasonably believed or found to contain such goods to the nearest Customs Collector.

[See Gazette of India, 1922, Pt. I, p. 1017.]

<sup>1</sup> Substituted by Notification No. 1028-D., dated 3rd January, 1920, see Gazette of India, 1920, Pt. I, p. 16.

<sup>2</sup> Substituted by Notification No. 145 (2)-P. T., dated 6th December, 1924.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**LIVE-STOCK IMPORTATION ACT, 1898 (IX of 1898).**

**Specification of diseases as infectious or contagious disorders.<sup>1</sup>**

*No. 119-116, dated the 19th January, 1921.*—In pursuance of clause (a) of section 2 of the Live-stock Importation Act, 1898 (IX of 1898), and in supersession of the notification of the Government of India in the Department of Revenue and Agriculture, No. 83, dated the 16th January, 1920, the Governor General in Council is pleased to specify the disease known as tuberculosis as an infectious or contagious disorder.

[See Gazette of India, 1921, Pt. I, p. 96.]

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*No. 363-117, dated the 24th February, 1921.*—In pursuance of clause (a) of section 2 of the Live-stock Importation Act, 1898 (IX of 1898), the Governor General in Council is pleased to specify Dourine, Epizootic Lymphangitis, Horse Pox, Surra and Ulcerative Lymphangitis as infectious or contagious disorders for the purposes of the said Act.

[See Gazette of India, 1921, Pt. I, p. 307.]

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**Inclusion of certain animals in the definition of "Live-stock."**

*No. 663, dated the 24th April, 1912.*—In pursuance of section 2 (b) of the Live-stock Importation Act, 1898 (IX of 1898), the Governor General in Council is pleased to specify antelopes as animals to be included in the definition of "Live-stock" in section 2 (b) of the said Act.

[See Gazette of India, 1912, Pt. I, p. 503.]

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*No. 1193-44-3, dated the 29th May, 1914.*—In pursuance of section 2 of the Live-stock Importation Act, 1898 (IX of 1898), the Governor General in Council is pleased to specify the disease known as South African Horse Sickness to be an infectious and contagious disorder and mules and asses as "live-stock" for the purposes of the said Act.

[See Gazette of India, 1914, Pt. I, p. 998.]

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<sup>1</sup> See also Notification No. 1193-44-3, dated 29th May, 1914, under the heading "inclusion of certain animals in the definition of 'live-stock'."

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

LIVE-STOCK IMPORTATION ACT, 1898 (IX OF 1898).

Specification of diseases as infectious or contagious disorders.<sup>1</sup>

*No. 119-116, dated the 19th January, 1921.*—In pursuance of clause (a) of section 2 of the Live-stock Importation Act, 1898 (IX of 1898), and in supersession of the notification of the Government of India in the Department of Revenue and Agriculture, No. 83, dated the 16th January, 1920, the Governor General in Council is pleased to specify the disease known as tuberculosis as an infectious or contagious disorder.

[See Gazette of India, 1921, Pt. I, p. 96.]

*No. 363-117, dated the 24th February, 1921.*—In pursuance of clause (a) of section 2 of the Live-stock Importation Act, 1898 (IX of 1898), the Governor General in Council is pleased to specify Dourine, Epizootic Lymphangitis, Horse Pox, Surra and Ulcerative Lymphangitis as infectious or contagious disorders for the purposes of the said Act.

[See Gazette of India, 1921, Pt. I, p. 307.]

Inclusion of certain animals in the definition of "Live-stock."

*No. 663, dated the 24th April, 1912.*—In pursuance of section 2 (b) of the Live-stock Importation Act, 1898 (IX of 1898), the Governor General in Council is pleased to specify antelopes as animals to be included in the definition of "Live-stock" in section 2 (b) of the said Act.

[See Gazette of India, 1912, Pt. I, p. 503.]

*No. 1193-44-3, dated the 29th May, 1914.*—In pursuance of section 2 of the Live-stock Importation Act, 1898 (IX of 1898), the Governor General in Council is pleased to specify the disease known as South-African Horse Sickness to be an infectious and contagious disorder and mules and asses as "live-stock" for the purposes of the said Act.

[See Gazette of India, 1914, Pt. I, p. 998.]

<sup>1</sup> See also Notification No. 1193-44-3, dated 29th May, 1914, under the heading "inclusion of certain animals in the definition of 'live-stock'."

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## LIVE-STOCK IMPORTATION ACT, 1898 (IX OF 1898).

Specification of diseases as infectious or contagious disorders.<sup>1</sup>

*No. 119-116, dated the 19th January, 1921.*—In pursuance of clause (a) of section 2 of the Live-stock Importation Act, 1898 (IX of 1898), and in supersession of the notification of the Government of India in the Department of Revenue and Agriculture, No. 83, dated the 16th January, 1920, the Governor General in Council is pleased to specify the disease known as tuberculosis as an infectious or contagious disorder.

[See Gazette of India, 1921, Pt. I, p. 96.]

*No. 363-117, dated the 24th February, 1921.*—In pursuance of clause (a) of section 2 of the Live-stock Importation Act, 1898 (IX of 1898), the Governor General in Council is pleased to specify Dourine, Epizootic Lymphangitis, Horse Pox, Surra and Ulcerative Lymphangitis as infectious or contagious disorders for the purposes of the said Act.

[See Gazette of India, 1921, Pt. I, p. 307.]

Inclusion of certain animals in the definition of "Live-stock."

*No. 663, dated the 24th April, 1912.*—In pursuance of section 2 (b) of the Live-stock Importation Act, 1898 (IX of 1898), the Governor General in Council is pleased to specify antelopes as animals to be included in the definition of "Live-stock" in section 2 (b) of the said Act.

[See Gazette of India, 1912, Pt. I, p. 503.]

*No. 1193-44-3, dated the 29th May, 1914.*—In pursuance of section 2 of the Live-stock Importation Act, 1898 (IX of 1898), the Governor General in Council is pleased to specify the disease known as South African Horse Sickness to be an infectious and contagious disorder and mules and asses as "live-stock" for the purposes of the said Act.

[See Gazette of India, 1914, Pt. I, p. 998.]

<sup>1</sup> See also Notification No. 1193-44-3, dated 29th May, 1914, under the heading "inclusion of certain animals in the definition of 'live-stock'."

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## LIVE-STOCK IMPORTATION ACT, 1898 (IX OF 1898).

Prohibition of the importation into British India of animals from certain places—*contd.*

*Conditions.*

(1) Every horse so imported shall be accompanied by a certificate from a Veterinary Officer to the effect that:—

(a) the horse has been in quarantine for three weeks prior to shipment and during that period has been under close veterinary supervision;

(b) the horse is free from all diseases and has been subjected to the mallein test;

(c) South African horse sickness did not exist in Aden at the time of shipment.

(2) Every horse so imported shall be subject to veterinary inspection on arrival at the port of disembarkation.]

[See Gazette of India, 1919, Pt. I, p. 1986.]

No. 84-89, dated the 16th January, 1920.—In exercise of the powers conferred by sub-section (1) of section 3 of the Live-stock Importation Act, 1898 (IX of 1898), the Governor General in Council is pleased with effect from 16th January, 1921, to prohibit the bringing or taking by sea into British India of kine (except from another Indian port) at any other than Calcutta, Bombay, Madras or Rangoon.

[See Gazette of India, 1920, Pt. I, p. 77.]

No. 120-116, dated the 19th January, 1921.—In exercise of the powers conferred by sub-section (1) of section 3 of the Live-stock Importation Act, 1898 (IX of 1898), the Governor General in Council is pleased with effect from the 19th January, 1922, to prohibit the bringing or taking by sea except from a port in India into the Bombay Presidency, at any port other than the port of Bombay, of bulls, bullocks, buffaloes, goats and other ruminating animals, and of swine.

[See Gazette of India, 1921, Pt. I, p. 96.]

No. 1141-110, dated the 22nd June, 1921.—In exercise of the powers conferred by sub-section (1) of the section 3 of the Live-stock Importation



## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## INDIAN STAMP ACT, 1899 (II of 1899).

## Remission and reduction of stamp duties.

*No. 3616-Exc., dated the 16th July, 1909.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), and in supersession of all previous Notifications issued from time to time under the said clause of the said section, the Governor General in Council is pleased to reduce, to the extent set forth in each case, the duties chargeable under the said Act in respect of the instruments hereinafter described under Nos. 3, 4, 10, 20, 22, 56, 70, 71, 73, and 80, and to remit the duties so chargeable in respect of instrument of the other classes hereinafter described:—

## A.—LAND REVENUE.

*General.*

1. Lease or counterpart thereof executed at the time of settlement made directly by the Government with the existing occupant of land, whether a zamindar or a tenant, and whether self-cultivating or not: Provided that no fine or premium is paid in consideration of the lease.

2. Agreement of the kind described in the Dekkhan Agriculturists' Relief Act, 1879 (XVII of 1879), section 43.

3. Promissory note payable on demand to a certain person, and not to order or bearer, when such note is executed by an agriculturist, and is attested at the time of execution by a Village Registrar, under section 57 of the Dekkhan Agriculturists' Relief Act, 1879 (XVII of 1879).—Duty reduced to one anna.

4. Promissory note payable otherwise than on demand, and not payable at more than one year after date or sight, to a certain person, and not to order or bearer, when such note is executed by an agriculturist, and is attested at the time of execution by a Village Registrar, under section 57 of the Dekkhan Agriculturists' Relief Act, 1879 (XVII of 1879).—Duty reduced to the amount chargeable under Article No. 13 (b) of Schedule I of the Stamp Act, 1899, on a bill of exchange for the same amount.

5. Instrument executed for the purpose of securing the repayment of a loan made, or to be made, under the Land Improvement Loans Act, 1883 (XIX of 1883), or the Agriculturists' Loans Act, 1884 (XII of 1884), including an instrument whereby a landlord binds himself to consent to the transfer, in the event of default in such repayment, of any land, or interest in land, on the security of which any such loan is made to his tenant.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## INDIAN STAMP ACT, 1899 (II OF 1899).

Remission and reduction of stamp duties—*contd.**In the Central Provinces.*

<sup>1</sup>[14A. Bail-bond executed by a surety to produce a person on whom a bailable warrant of arrest has been issued under section 20 (3) of the Central Provinces Land Revenue Act, 1917.]

15. Conveyance by endorsement of rights secured by an instrument known as a "satta."

16. Copy or extract certified by a patwari to be a true copy of, or a true extract from, records or papers which patwaries are required to prepare or keep by any rule made by the Chief Commissioner under the Central Provinces Land Revenue Act, 1881 (XVIII of 1881), section 146, where the copy or extract is furnished by a patwari to a malguzar or tenant of or in the village with which the copy or extract is concerned.

*In Madras.*

17. Patta granted by an officer of the Government or by any assignee of Government revenue in the Madras Presidency to a holder of land under a raiyatwar settlement.

*In the United Provinces of Agra and Oudh.*

<sup>2</sup>[18. Agreements of the kinds described in section 41, sub-section (1), clause (a), and in section 47, clause (a), of the North-Western Provinces Tenancy Act, 1901 (United Provinces Act II of 1901), with respect to the enhancement of the rent of an ex-proprietary, occupancy or non-occupancy tenant.]

19. Authority in writing to distrain referred to in section 75 of the Oudh Rent Act, 1886 (XXII of 1886), and in section 120, clause (g), of the Agra Tenancy Act, 1901 (United Provinces Act II of 1901).

20. Mortgage deed executed afresh in lieu of a previous mortgage deed for the purpose of giving effect to the provisions of section 9, sub-section (2) of the Bundelkhand Alienation of Land Act, 1903 (United Provinces Act II of 1903).—So much of the duty remitted as is not in excess of the duty already paid in respect of the previous mortgage deed.

<sup>1</sup> Inserted by Notification No. 1399-F., dated 8th May, 1920, see Gazette of India, 1920, Pt. I, p. 1005.

<sup>2</sup> For substituted para. 18, see Notification No. 2145-Exc., dated the 28th April, 1910, Gazette of India, 1910, Pt. I, p. 340.

<sup>3</sup> Now the "Agra Tenancy Act, 1901," see United Provinces Act I of 1904, s. 23 (2).

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## INDIAN STAMP ACT, 1899 (II OF 1899).

Remission and reduction of stamp duties—*contd.*

paid to him by the Government as an advance for the cultivation of opium.

28. Bond when executed by the surety of a middleman (lambardar or khattadar) taking an advance for the cultivation of the poppy for the Government.

29. Agreement or memorandum of agreement made by a raiyat or by a middleman (lambardar or khattadar) for the cultivation of the poppy for the Government.

30. Power-of-attorney executed in favour of a lambardar or khattadar by an opium cultivator, who does not attend personally to receive an advance or to enter into a contract for the cultivation of the poppy for the Government.

31. Instrument of the nature of a mortgage deed when executed by the surety of a middleman (lambardar or khattadar) taking an advance for the cultivation of the poppy for the Government.

32. Security bond or mortgage deed for the fulfilment of any contract deed for the supply of weighment articles in use in the Bihar and Benares Opium Agencies.

33. Contract deed for the supply of weighment articles in use in the Bihar and Benares Opium Agencies.

34. Agreement or memorandum of agreement made by a raiyat for, or in respect of, the cultivation of the hemp plant in the district of Rajshahi.

35. Agreement or memorandum of agreement for the cultivation of the hemp plant made by a cultivator in the Madras Presidency.

## C.—FOREST DEPARTMENT.

36. Agreement and security bond required to be executed, under the rules to regulate the training and appointments in the Subordinate Forest Service, by a student and his surety previous to his entry into the Imperial Forest School, Dehra Dun, or the Burma Forest School, Tharrawaddy<sup>1</sup> [or the Madras Forest College, Coimbatore].

<sup>1</sup> Added by Notification No. 22-F., dated the 8th May, 1912, see Gazette of India, 1912, Pt. I, p. 541.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**INDIAN STAMP ACT, 1899 (II OF 1899).**

**Remission and reduction of stamp duties—*contd.***

- (iii) Agreement for the collection, removal and purchase of minor forest produce;
- (iv) Agreement for cutting, removal and purchase of grass;
- (v) Agreement for the cutting, collection, pressing and storage of grass;
- (vi) Agreement for grazing of cattle;
- (vii) Agreement for the manufacture and purchase of minor forest produce;
- (viii) Agreement for the purchase and resale to the public of firewood;
- (ix) Agreement for the lease of forest land;
- (x) Agreement for constructing roads and buildings;
- (xi) Agreement for the supply of clothing articles for forest subordinates;
- (xii) Agreement for leasing private buildings and land for Government offices, depôts, residences of Government servants and other purposes.

*(3) In the United Provinces.*

- (i) Contract for the collection of minor produce, barks, etc.;
- (ii) Contract for felling and removing trees;
- (iii) Contract for the purchase of  $\frac{\text{timber}}{\text{firewood}}$  to be  $\frac{\text{felling}}{\text{cut}}$  departmentally;
- (iv) Contract of the usufruct of trees and topes;
- (v) Contract for the  $\frac{\text{felling}}{\text{cutting}}$  and purchase of  $\frac{\text{timber}}{\text{firewood}}$  ;
- (vi) Agreement for felling and conversion of timber.

*(4) In Burma.*

- (i) Contracts or agreement for removing, collecting, felling extracting, disposing of,  $\frac{\text{and}}{\text{or}}$  purchasing forest produce—
  - (a) on behalf of Government (departmental working) or
  - (b) by purchasers (to include all forms of long or short term leases or purchase contracts).
- (ii) Contracts or agreements with forest villagers—
  - (a) for the supply of labour,
  - (b) for cultivation under the taungye system.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**INDIAN STAMP ACT, 1899 (II OF 1899).**

**Remission and reduction of stamp duties—*contd.***

**D.—MEDICAL DEPARTMENT.**

38. Security bond taken under the authority of the Government from a medical student of the Apothecary, Assistant Surgeon, or Hospital Assistant class, and his surety, or from the surety of such a student.

**VETERINARY DEPARTMENT.**

<sup>1</sup>[38A. Agreement and security bonds required to be executed by a student and his sureties previous to his entry into the Madras Veterinary College.]

**E.—POST OFFICE AND TELEGRAPH DEPARTMENT.**

39. Letter which a person depositing money in a Post Office Savings Bank, as security to the Government or a local authority for the due execution of an office or for the fulfilment of a contract or for any other purpose, is required to address to the Postmaster in charge of the Post Office Savings Bank agreeing to special conditions with respect to the application and withdrawal of the money deposited and the payment of interest accruing due thereon.

40. Receipt given by, or on behalf of, a depositor in a Post Office Savings Bank for a sum of money withdrawn from any such Bank.

41. Receipt endorsed by the payee on a Postal Money Order <sup>2</sup>[or by the holder of a Post Office cash certificate at the time of its discharge.]

42. Receipt given by the addressee for a deposit exceeding twenty rupees made for the payment of a reply to a telegraphic message.

**F.—RAILWAYS AND INLAND STEAMER COMPANIES.**

43. Agreement made with a Railway Company or Administration or an Inland Steamer Company for the conveyance of goods.

44. Agreement or indemnity bond given to a Railway authority or an Inland Steamer Company by a passenger permitted to travel without payment of fare, indemnifying such authority or Company from any claim for damages in case of accident or injury.

45. Agreement or indemnity bond given to a Railway authority or an Inland Steamer Company by a consignee (when the Railway receipt or bill of lading is not produced) in respect of the delivery of articles carried

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<sup>1</sup> Added by Notification No. 444-F., dated the 9th October, 1912, see Gazette of India, 1912, Pt. I, p. 1134.

<sup>2</sup> Added by Notification No. 2471-F., dated 3rd September, 1918, see Gazette of India, 1918, Pt. I, p. 1383.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**INDIAN STAMP ACT, 1899 (II OF 1899).**

**Remission and reduction of stamp duties—*contd.***

ment, the Forest Department, <sup>1</sup>[the Military Farms Department], <sup>2</sup>[the Indian Stores Department] or the Public Works or State Railway Department by a contractor for the due performance of his contracts.

<sup>3</sup>[53A. Agreement and security bond executed by contractors in respect of village chavadies and cattle pounds in the Madras Presidency.]

<sup>4</sup>[53B. (1) Contracts for works entered into with Public Works Department in Form F.-1 (Item or percentage, rate Tender for Contracts) or in Form F.-2 headed "Conditions of Contract" of the Public Works Department Form Book or in the General Public Works Department Form No. 8 or 9 of the United Provinces; (2) Agreements executed on Manual Form No. 36 (Agreement by Zamindars allowed to build wells, etc., on Government land) or on Manual Form No. 37 (Agreement for the erection of buildings, etc., on Government land), and (3) Mortgage Deeds executed on Form No. 92 (Tender for supply of materials) or on Form No. 94 (Tender for the conveyance of materials) of the United Provinces, Public Works Department, (Buildings and Roads) Manual of Orders.]

<sup>5</sup>[54. Mortgage deed executed by an officer of Government in Civil or Military employ for securing the repayment of an advance received by him from the Government for the purpose of constructing, purchasing or repairing a dwelling house for his own use.]

55. Instrument of re-conveyance of mortgaged property executed by Government in favour of an officer in Civil or Military employ on the repayment of an advance received by him from the Government for the purpose of constructing or purchasing a dwelling-house for his own use.

56. Agreement which has been or may be entered into in compliance with the rules prescribed by the Resolution of the Government of India in the Finance Department (Military Finance), No. 2195-Accts., dated the 25th October, 1907, regulating the deposits of regimental funds with private banks or firms or such other rules for that purpose as may hereafter be in force.—Duty reduced to the amount payable in respect of a bond for like amount or value, or to Rs. 5, whichever shall be less.

<sup>1</sup> Added by Notification No. 654-F., dated 24th June, 1913, see Gazette of India, 1913, Pt. I, p. 660.

<sup>2</sup> Inserted by Notification No. 501, dated 11th August, 1923, see Gazette of India, 1923, Pt. I, p. 866.

<sup>3</sup> Inserted by Notification No. 538-F., dated 16th March, 1917, see Gazette of India, 1917, Pt. I, p. 396.

<sup>4</sup> Substituted by Notification No. F.-14—1-Stamp-25, dated 6th April, 1925, see Gazette of India, 1925, Pt. I, p. 300.

<sup>5</sup> Substituted by Notification No. F.-13—11-Stamp-25, dated 9th April, 1925, see Gazette of India, 1925, Pt. I, p. 359.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**INDIAN STAMP ACT, 1899 (II OF 1899).**

**Remission and reduction of stamp duties—*contd.***

68. Transfer by endorsement of a mortgage of rates and taxes authorised by any Act for the time being in force in British India.

69. Transfer of any of the under-noted debentures of the Ootacamund Club, namely, Nos. 1 to 188, dated the 31st December, 1892; Nos. 189 to 464, 467 to 482, and 485 to 604, dated the 15th January, 1893; Nos. 465, 466, 483, 484 and 605 to 810, dated the 25th October, 1893, and Nos. 811 and 812, dated the 23rd February, 1894.

70. Trust deed entered into in compliance with the rules for the time being in force in the Bombay Presidency, the Punjab, Bengal, Eastern Bengal and Assam, regulating grants-in-aid made by the Government for building purposes to schools and colleges in those provinces.—Duty reduced to the amount payable in respect of a bond for like amount or value, or to Rs. 15, whichever shall be less.

71. Agreement executed for service or for performance of work in any estate not less than ten acres in extent, whether held by one person or by more persons than one as co-owners, and whether in one or more blocks, and situated in British India or in Mysore, which is being prepared for the production of, or actually produces, tea, coffee, rubber, pepper, cardamom or cinchona, where the advance given under agreement does not exceed fifty rupees.—Duty reduced to one anna.

72. Apprenticeship-deed whereby a person is bound apprentice to the Superintendent of Government Printing, India, to learn the business of a distributor or of a compositor.

73. Kabuliyat executed by a Ghatwal of any of the 52 Sarkar Panchaki and Be Panchaki Ghats, or of the 186 Zamindari Panchaki Ghats, in the district of Bankura in Lower Bengal.—Duty reduced to the amount payable in respect of a conveyance for a consideration equal to the amount or value of the average annual rent reserved.

74. Instrument of transfer of shares registered in a branch register in the United Kingdom under the provisions of the Indian Companies (Branch Registers) Act, 1900 (IV of 1900), which has paid the stamp duty leviable thereon in accordance with the law for the time being in force in the United Kingdom.

75. Receipt given by a gangman on a famine relief work in the Bombay Presidency in respect of sums exceeding Rs. 20 paid to him on account of the wages of relief workers.

76. Agreement between creditor and debtor to refer their claims to arbitration made in the Central Provinces in the course of conciliation proceedings approved by the Local Administration, and the award made in virtue of such agreement.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN STAMP ACT, 1899 (II OF 1899).**

**Remission and reduction of stamp duties—*contd.***

5. Railway lands within the limits of the Central India and Rajputana Agencies over which the Governor General in Council exercises jurisdiction.

6. The areas in the Hyderabad State in which the Governor General in Council exercises jurisdiction through the Resident at Hyderabad.

7. Berar.

8. The Civil and Military Station of Bangalore.

<sup>1</sup>[9. Railway lands in the Mysore State over which the Governor General in Council exercises jurisdiction.

10. Railway lands in the Baroda State and in States in the Political control of the Government of Bombay over which jurisdiction has been ceded to the British Government and to which the provisions of the Indian Stamp Act, 1899, have been applied.

11. Railway lands in Jammu and Kashmir and in States in the Punjab over which the Governor General in Council exercises jurisdiction.]

[See Gazette of India, 1909, Pt. I, p. 597.]

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*No. 1873-F., dated the 3rd December, 1914.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), the Governor General in Council is pleased to remit the duty chargeable under the Act on a written authority executed under rule 1, Order XXVIII of the Code of Civil Procedure, 1908 (Act V of 1908), by any officer or soldier actually serving the Government in a military capacity authorising any person to sue or defend in his stead in a Civil Court.

[See Gazette of India, 1914, Pt. I, p. 1986.]

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*No. 1112-F., dated the 25th June, 1925.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), the Governor General in Council is pleased to remit the duty chargeable under the said Act on the instruments of release referred to in section 46 of the Indian Merchant Shipping Act, 1859 (I of 1859).

[See Gazette of India, 1915, Pt. I, p. 809.]

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<sup>1</sup> Added by Notification No. 246-F., dated the 28th February, 1913, see Gazette of India, 1913, Pt. I, p. 169.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN STAMP ACT, 1899 (II OF 1899).**

**Remission and reduction of stamp duties—*contd.***

much of the duty with which such fresh mortgage deed is chargeable, as is not in excess of the duty already paid in respect of such previous mortgage deed.

[See Gazette of India, 1916, Pt. I, p. 1246.]

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*No. 80-F., dated the 15th January, 1917.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), the Governor General in Council is pleased to remit the duty chargeable under Article 12 of Schedule I, of the said Act, on the awards of arbitrators in all disputes to which Co-operative Societies in the Punjab are parties.

[See Gazette of India, 1917, Pt. I, p. 99.]

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*No. 997-F., dated the 4th May, 1917.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), the Governor General in Council is pleased to remit the duty chargeable under the said Act on the instruments hereinafter described, namely:—

Agreements to refer to arbitration claims against Government in respect of the taking up of river-craft in Mesopotamia and awards made in virtue of such agreements.

[See Gazette of India, 1917, Pt. I, p. 759.]

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*No. 1670-F., dated the 25th July, 1917.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), the Governor General in Council is pleased to remit the duty chargeable under the said Act in respect of Agreements executed by private medical practitioners on acceptance of service under the Secretary of State for India in Council as a Surgeon to His Majesty's forces with the temporary rank of Lieutenant in the Indian Medical Service.

[See Gazette of India, 1917, Pt. I, p. 1286.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN STAMP ACT, 1899 (II of 1899).**

**Remission and reduction of stamp duties—*contd.***

Vakil of the High Court of Judicature at Lahore, of a pleader of the first grade, who has, as such pleader, paid stamp duty aggregating Rs. 1,000 or more for certificates issued or renewed in his favour under section 7 of the Legal Practitioners' Act, 1879 (XVIII of 1879), and

- (2) to reduce the duty chargeable under Article 30 of Schedule I of the said Act on instruments of entry as an Advocate or Vakil of the High Court of Judicature at Lahore, of a pleader of the first grade who has as such pleader, paid, for certificates issued or renewed in his favour under section 7 of the Legal Practitioners' Act, 1879 (XVIII of 1879), stamp duty aggregating more than Rs. 500 but less than Rs. 1,000, to the sum which together with the aggregate stamp duty already paid shall make up Rs. 1,000.

[See Gazette of India, 1919, Pt. I, p. 882.]

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*No. 1245-F., dated the 16th May, 1919.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), the Governor General in Council is pleased to remit the duty chargeable under Article 12 of Schedule I of the said Act on the awards of arbitrators in all disputes to which Co-operative Societies in the Delhi Province are parties.

[See Gazette of India, 1919, Pt. I, p. 1022.]

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*No. 3183-F., dated the 17th December, 1919.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), the Governor General in Council is pleased to remit the duty chargeable under Article 12 of Schedule I of the said Act on the decisions and awards of the Registrar of Co-operative Societies for the Central Provinces and the awards of arbitrators in all disputes in which co-operative societies in the Central Provinces or any members thereof as such are parties.

[See Gazette of India, 1919, Pt. I, p. 2411.]

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*No. 2053, dated the 5th August, 1920.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN STAMP ACT, 1899 (II OF 1899).

Remission and reduction of stamp duties—*contd.*

*No. 200, dated the 12th May, 1923.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), and in supersession of the notification by the Department of Commerce, No. 5081, dated the 30th September, 1922, the Governor General in Council is pleased to remit the duty chargeable on an agreement executed by an officer of the Government relating to the repayment of an advance received by him from the Government for defraying the cost of passages for himself or his family or both.

[See Gazette of India, 1923, Pt. I, p. 420.]

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*No. 243, dated the 19th May, 1923.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), and in supersession of the notification of the Government of India in the Finance Department, No. 1002-F., dated the 26th May, 1915, the Governor General in Council is pleased to remit the duty chargeable under the said Act on receipts or bills of lading issued by the Commercial Carrying Company, Limited, for the fare for the conveyance of passengers or goods, or both, or on receipts given to the said Company for the refund of an overcharge made in respect of such fare.

[See Gazette of India, 1923, Pt. I, p. 433.]

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*No. 430, dated the 16th June, 1923.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), and in supersession of the Notifications of the Government of India in the Finance and the Commerce Departments, Nos. 1870-F. and 1946-S., dated the 22nd June, 1921 and the 17th September, 1921, respectively, the Governor General in Council is pleased to remit the duty chargeable on receipts given for interest paid in British India on securities of the Mysore Durbar.

[See Gazette of India, 1923, Pt. I, p. 548.]

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*No. 1580, dated the 1st December, 1923.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), the Governor General in Council is pleased to remit the duty chargeable on a deed of conveyance to be made between the Commissioners for the Port of Rangoon incorporated under the Rangoon Port Trust,

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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THE INDIAN STAMP ACT, 1899 (II OF 1899).

Remission and reduction of stamp duties—*contd.*

chargeable on agreements between employers and workmen employed by or under them regarding the payment of compensation under the Workmen's Compensation Act, 1923 (VIII of 1923).

[See Gazette of India, 1924, Pt. I, p. 579.]

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*No. 4643, dated the 3rd October, 1924.*—In exercise of the power conferred by clause (a) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Governor General in Council is pleased to direct that in the United Provinces and the Provinces of Assam and Burma the stamp duty chargeable under Article 40 (c) of the First Schedule to the said Act on a mortgage deed being a collateral or auxiliary or additional security or being by way of further assurance where the principal or primary security is duly stamped shall, in any case in which the sum secured is in excess of Rs. 20,000, be reduced to the amount of duty which would be chargeable under the said schedule if the sum secured were Rs. 20,000.

[See Gazette of India, 1924, Pt. I, p. 899.]

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*No. 4645, dated the 3rd October, 1924.*—In exercise of the powers conferred by clause (a) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Governor General in Council is pleased to direct that in the Presidency of Bombay, when the stamp duty chargeable under Article 40 (c) of the First Schedule to the said Act on a mortgage deed being collateral or auxiliary or additional security or being by way of further assurance, where the principal or primary security is duly stamped exceeds Rs. 20, the duty shall be reduced to that amount.

[See Gazette of India, 1924, Pt. I, p. 899.]

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*No. 4647, dated the 3rd October, 1924.*—In exercise of the power conferred by clause (a) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Governor General in Council is pleased to direct that in the Province of the Punjab, when the stamp duty chargeable under Article 40 (c) of the First Schedule to the said Act on a mortgage deed being collateral or auxiliary or additional security or being by way of further assurance, when the principal or primary security is duly stamped exceeds Rs. 15, the duty shall be reduced to that amount.

[See Gazette of India, 1924, Pt. I, p. 899.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN STAMP ACT, 1899 (II OF 1899).**

***Remission and reduction of stamp duties—contd.***

- (c) "Schedule" means a schedule of the Act.
- (d) "Superintendent of Stamps" means the Superintendent of Stamps, Madras, Bombay, Karachi, Rangoon or Nagpur and includes the Financial Commissioner, Punjab, and any other officer appointed by the Local Government to perform the functions of a Superintendent of Stamps.

3. (1) Except as otherwise provided by the Act or by these rules,—

Description of  
Stamps.

- (i) all duties with which any instrument is chargeable shall be paid, and such payment shall be indicated on such instrument, by means of stamps issued by Government for the purposes of the Act, and
- (ii) a stamp which by any word or words on the face of it is appropriated to any particular kind of instrument, shall not be used for an instrument of any other kind.

(2) There shall be two kinds of stamps for indicating the payment of duty with which instruments are chargeable, namely:—

- (a) impressed stamps, and
- (b) adhesive stamps.

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**CHAPTER II.**

***Of Impressed Stamps.***

4. (1) Hundis, other than hundis which may be stamped with an adhesive stamp under section 11, shall be written on paper as follows, namely:—

- (a) A hundi payable otherwise than on demand, but not at more than one year after date or sight, and for an amount not exceeding rupees thirty thousand in value, shall be written on paper on which a stamp of the proper value bearing the word 'hundi' has been engraved or embossed.
- (b) A hundi for an amount exceeding rupees thirty thousand in value, or payable at more than one year after date or sight, shall be written on paper supplied for sale by the Government, to which a label has been affixed by the Controller of Printing, Stationery and Stamps at Calcutta, or a Superintendent of Stamps, and impressed by such officer in the manner prescribed by rule 11.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE INDIAN STAMP ACT, 1899 (II OF 1899).

Remission and reduction of stamp duties—*contd.*

- (ii) those specified in Appendix III, when written in any European language, and accompanied, if the language is not English, by a translation in English :

Provided that the Local Government may direct that this rule shall apply, subject to any conditions which it may prescribe, to agreements or memoranda of agreements such as are specified in Appendix III, when written in any oriental language.

11. (1) The proper officer shall, upon any instrument specified in rule 10 being brought to him before it is executed, and upon application being made to him, affix thereto a label or labels of such value as the applicant may require and pay for, and impress such label or labels by means of a stamping-machine, and also stamp or write on the face of the label or labels the date of impressing the same. In the case of instruments written on parchment, the labels shall be further secured by means of metallic eyelets.

(2) On affixing any label or labels under this rule, the proper officer shall, where the duty amounts to rupees five or upwards, write on the face of the label or labels his initials, and where the duty amounts to rupees twenty or upwards, shall also attach his usual signature to the instrument immediately under the label or labels.

(3) The following officers may discharge the functions of the proper officer under sub-rule (2), namely:—

- (i) Any principal assistant of the proper officer empowered by the Local Government in this behalf;
- (ii) In Calcutta, the Deputy Collector and the Superintendent of the Stamp Department of the Collector's office;
- (iii) In Karachi, the Assistant Superintendent of Stamps; and
- (iv) In Lahore, the head or any other Assistant for the time being in charge of the stamping work in the Financial Commissioner's office.

12. (1) Instruments executed out of British India and requiring to be stamped after their receipt in British India (other than instruments which, under section 11 or rule 13, may be stamped with adhesive stamps) shall be stamped with impressed labels.

(2) Where any such instrument as aforesaid is taken to the Collector under section 18, sub-section (2), the Collector, unless he is himself the proper officer, shall send the instrument to the proper officer, remitting the amount of duty paid in respect thereof; and the proper officer shall stamp the instrument in the manner prescribed by rule 11, and return it to the Collector for delivery to the person by whom it was produced.

Mode of affixing and impressing labels.

Certain instruments to be stamped with impressed labels.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE INDIAN STAMP ACT, 1899 (II OF 1899).

Remission and reduction of stamp duties—*contd.*

words 'Four annas' or 'Two annas' or 'One anna' or 'Half anna,' stamps denoting duty of one anna or half an anna and such stamps may be inscribed for use either for postage or for revenue, or for both postage and revenue.

17. The following instruments when stamped with adhesive stamps shall be stamped with the following descriptions of such stamps, namely:—

- (a) Bills-of-exchange, cheques and promissory notes drawn or made out of British India and chargeable with a duty of more than one anna: with stamps bearing the words 'Foreign Bill.'
- (b) Separate instruments of transfer of shares and transfers of debentures of Public Companies and Associations: with stamps bearing the words 'Share Transfer.'
- (c) Entry as an Advocate, Vakil or Attorney on the roll of any High Court: with stamps bearing the word 'Advocate,' 'Vakil,' or 'Attorney,' as the case may be.
- (d) Notarial acts: with foreign bill stamps bearing the word 'Notarial.'
- (e) Copies of maps or plans and printed copies certified to be true copies: with court-fee stamps.
- (f) Instruments chargeable with stamp-duty under Articles 5 (a) and (b) or 43 of Schedule I: with stamps bearing the words 'Agreement' or 'Brokers' Note' respectively.
- (g) Instruments chargeable with stamp-duty under Article 47 of Schedule I: with stamps bearing the word "Insurance."

Special adhesive stamp be used in certain cases

## CHAPTER IV.

*Miscellaneous.*

18. When an instrument bears a stamp of proper amount, but of improper description, the Collector may, on payment of the duty with which the instrument is chargeable, certify by endorsement that it is duly stamped:

Provided that, if application is made within three months of the execution of the instrument, and the Collector is satisfied that the improper description of stamp was used solely on account of the difficulty or inconvenience of procuring one of the proper description, he may remit the further payment of duty prescribed in this rule.

Provision for cases in which improper description of stamp may be used.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE INDIAN STAMP ACT, 1899 (II OF 1899).

Remission and reduction of stamp duties—*contd.*

5. The Treasury Officers, Moulmein, Akyab, Tavoy and Bassein.
6. The Deputy Tahsildar and the Sub-Collector at Tuticorin, and the Sarishtadar-Magistrate at Cochin in respect of any instrument for which the value of the labels required does not exceed fifty rupees, and the Tahsildar at Kottayam in respect of any instrument for which the value of the labels required does not exceed one rupee.
- \* 7. The Assistant Superintendent of Stamps, Assam.

## APPENDIX II.

*List of Instruments referred to in Rule 10 (i).*

	No. of Article in Schedule I.
1. Administration-bond . . . . .	2
2. Affidavits . . . . .	4
3. Appointments made in execution of a power . . . . .	7
4. Articles of Association of a Company . . . . .	10
5. Articles of clerkship . . . . .	11
6. Bills-of-lading . . . . .	14
7. Charter parties . . . . .	20
8. Declarations of trust . . . . .	64A
9. Instruments evidencing an agreement relating to (1) the deposit of title-deeds or instruments constituting or being evidence of the title to any property whatever (other than a marketable security) or (2) the pawn or pledge or hypothecation of moveable property . . . . .	6
10. Leases partly printed or lithographed in an Oriental language, when the written matter does not exceed one-fourth of the printed matter . . . . .	35
11. Memoranda of Association of Companies . . . . .	39
12. Morigages of crops . . . . .	41
13. Notes of protest by Masters of Ships . . . . .	44



## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE INDIAN STAMP ACT, 1899 (II OF 1899).

Remission and reduction of stamp duties—*concl'd.*

	No. of Article in Schedule I.
	35
	38
16. Leases	40
17. Letters of license	48
18. Mortgage-deeds	54
19. Powers-of-attorney	55
20. Reconveyances of mortgaged property	58
21. Releases	
22. Settlements	
23. Transfers of the description mentioned in Article 62, clauses (c), (d), and (e) of Schedule I.	62 (c), (d) & (e)

## Reduction of duty on policy of Sea Insurance.

*No. 5799-Exc., dated the 26th November, 1909.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), the Governor General in Council is pleased to direct that, with effect from 1st April, 1910, the duty chargeable under Article 47A (i), (ii), Schedule I, of the said Act on a policy of sea insurance shall be reduced to one anna, if drawn singly, and to half an anna for each part, if drawn in duplicate, in respect of every full sum of one thousand five hundred rupees and also any fractional part of one thousand five hundred rupees insured by the policy.

[See Gazette of India, 1909, Pt. I, p. 1636.]

## Remission of duty chargeable in certain mortgage deeds.

*No. 1941-F., dated the 29th March, 1911.*—In exercise of the powers conferred by section 9, clause (a) of the Indian Stamp Act, 1899 (II of 1899), the Governor General in Council is pleased to remit the duty chargeable under Article 40, clause (b) of Schedule I of the said Act on mortgage deeds executed by an officer of the Government for securing the repayment of an advance received by him from the Government for the purpose of purchasing <sup>1</sup>[a motor car, a motor boat or a motor cycle] for his own use.

[See Gazette of India, 1911, Pt. I, p. 233.]

<sup>1</sup> Substituted for the words "a motor car or a motor boat" by Notification No. 1103-F., dated 28th July, 1916, see Gazette of India, 1916, Pt. I, p. 1069, and supplement.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN STAMP ACT, 1899 (11 of 1899).

Office of a returning officer is not a public office for the purposes of the Act.

*No. 2962-F., dated the 19th November, 1920.*—In exercise of the powers conferred by sub-section (3) of section 33 of the Indian Stamp Act, 1899 (11 of 1899), the Governor General in Council is pleased to direct that the office of a returning officer appointed for the purposes of an election to a legislative body constituted under the Government of India Act is not a public office for the purposes of the said section.

[See Gazette of India, 1920, Pt. I, p. 2136.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN PETROLEUM ACT, 1899 (VIII of 1899).

Additions to Schedule to Act—*contd.*

The stirrer may be removed by grasping the spindle just above the blades with the finger and thumb, and unscrewing the upper sheath. The opening in the lid, through which the stirrer passes, may then be closed by a plug provided for the purpose.

When this has been done, the apparatus shall be deemed to comply with the specification set forth in this schedule and may be used for testing ordinary petroleum.

A model of the aforementioned apparatus will be deposited in the office of the Chemical Examiner to Government, Calcutta, and the provisions of section 20 of the Petroleum Act, 1899, in regard to verification and stamping shall apply also to such apparatus as though it were the apparatus prescribed by the said Act.

For the purpose of carrying out such verification the stirrer shall be removed and the opening plugged as hereinbefore directed. The apparatus shall then be tested with ordinary petroleum. The stirrer shall be verified by comparison of measurements."

III. For the heading to Part IV the following shall be substituted, namely:—

*"Directions for determining the flashing point of petroleum and petroleum mixtures which are not fluid at ordinary temperatures but liquefy when heated in a water bath, or which are liquid at ordinary temperatures but solidify on being cooled to 50°F."*

[See Gazette of India, 1911, Pt. I, p. 368.]

Transport of Petroleum between Provinces.

No. 1795, dated the 12th December, 1902.—In exercise of the powers conferred by section 8 of the Indian Petroleum Act, 1899 (VIII of 1899), the Governor General in Council is pleased to make the following rule to regulate the transport of petroleum from one Province of British India to any other, namely:—

<sup>1</sup>[(1) Save as otherwise provided in sub-rule (2)] where petroleum is transported from any Province of British India to any other such Province, the rules relating to the granting of transport licenses and to the transport of petroleum for the time being in force in the Province from which the petroleum is transported, and no others, shall, so far as they can

<sup>1</sup> Added by Notification No. 965-C.; dated the 6th April, 1905, see Gazette of India, 1905, Pt. I, p. 248.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN PETROLEUM ACT, 1899 (VIII OF 1899).**

***Form of certificate of verification of petroleum testing apparatus—concl'd.***

4. When slide B is used with thermometer No. 1, the apparatus records the flashing point of an oil.\*
5. When slide B is used with thermometer No. 2, the apparatus records the flashing point of an oil.\*
6. When slide B is used with thermometer No. 3, the apparatus records the flashing point of an oil.\*

*For Viscid Oil.*—With extra side thermometer (cylindrical bulbed) No. 4.

7. When slide A is used with thermometer No. 4, the apparatus records the flashing point of an oil.\*
8. When slide B is used with thermometer No. 4, the apparatus records the flashing point of an oil.\*

The thermometers and aneroid barometer accompanying this apparatus have been standardised as in the attached cards.

[See Gazette of India, 1899, Pt. I, p. 1102.]

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**Fees for the verification of apparatus for testing petroleum.**

<sup>1</sup>*No. 1475-J., dated the 9th October, 1890.*—Under the provisions of section 21, sub-section (1), of the Petroleum Act, XII of 1886, the Governor General in Council is pleased to prescribe the following rates of fees for the verification of apparatus for testing petroleum which may be submitted to the Chemical Examiner to Government, Calcutta, for that purpose, *viz.* :—

Rupees 16 for the verification of one slide with one thermometer, which fee will cover the cost of engraving the name of the owner on the apparatus, and Rs. 10 for each additional slide or thermometer verified after the first.

[See Gazette of India, 1890, Pt. I, p. 734.]

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**Form of Register of Certificates of verification of petroleum testing apparatus.**

<sup>1</sup>*No. 1081, dated 2nd August, 1890.*—Under the provisions of section 21, sub-section (4), of the Petroleum Act, XII of 1886, the Governor

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\* If the apparatus records correctly enter here the word "correctly." If the apparatus records the flashing point above or below the truth as ascertained by comparison with the Model Test Apparatus, enter here " (degrees and decimals) too high " (or " too low," as the case may be).

<sup>1</sup>These notifications are kept in force by s. 24 of the General Clauses Act, 1897 (X of 1897), Genl. Acts, Vol. IV.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN PETROLEUM ACT, 1899 (VIII OF 1899).**

**Fee for inspection of model test apparatus—*concl'd.***

nor General in Council is pleased to prescribe a fee of one rupee for the inspection of the model test apparatus deposited in the Office of the Chemical Examiner to Government, Calcutta.

[See Gazette of India, 1890, Pt. I, p. 734.]

**Application of part of Act to Carbide of Calcium.**

*No. 101—10, dated the 4th January, 1907.*—In exercise of the powers conferred by section 22 of the Indian Petroleum Act, 1899 (VIII of 1899), the Governor General in Council is pleased to apply to Carbide of Calcium the provisions of sections 8 to 15, 17, 18, 23 and 24 of the said Act, and to prescribe that for the quantity of petroleum mentioned in section 11 of the same Act, such quantity or quantities of Carbide of Calcium shall be substituted as may be prescribed by the rules for the time being in force relating to the possession and transport of Carbide of Calcium.

Home Department Notification No. 1118, dated the 11th August 1899, is hereby cancelled.

[See Gazette of India, 1907, Pt. I, p. 15.]

**Limitation of certain acts to the possession or transport of Petroleum.**

*No. M.-849, dated the 27th July, 1922.*—In exercise of the powers conferred by section 23 of the Indian Petroleum Act, 1899 (VIII of 1899), the Governor General in Council is pleased to limit the operation of the enactments specified in the Schedule hereto annexed in so far as the said enactments relate to the possession or transport of petroleum to the following quantities, namely:—

- (a) In the case of petroleum, not being dangerous petroleum, to quantities not exceeding five hundred gallons;
- (b) In the case of dangerous petroleum to quantities of three gallons or less, placed in separate glass stoneware or metal vessels, each of which contains not more than a pint and is securely stopped.

*The Schedule.*

1. The Madras City Municipal Act, 1919 (Madras Act IV of 1919).
2. The Madras District Municipalities Act, 1920 (Madras Act V of 1920):
3. The Madras Local Boards Act, 1920 (Madras Act XIV of 1920).

[See Gazette of India, 1922, Pt. I, p. 928.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN PETROLEUM ACT, 1899 (VIII OF 1899).**

**Limitation of certain acts to the possession or transport of Petroleum—*concl'd.***

each of which contains not more than a pint and is securely stopped.

*The Schedule.*

1. The Bengal Municipal Act, 1884 (Bengal III of 1884).
2. The Calcutta Municipal Act, 1923 (Bengal III of 1923).

[See Gazette of India, 1925, Pt. I, p. 1053.]

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**Publication of draft Rules under Act.**

*No. 562, dated the 12th April, 1899.*—In exercise of the power conferred by section 24, sub-section (1), of the Indian Petroleum Act, 1899 (VIII of 1899), the Governor General in Council is pleased to direct, in supersession of the Notification of the Government of India in the Home Department, No. 187, dated the 1st February, 1887, that drafts of rules which it may be proposed to make under the said Act, shall be published:—

- (a) when the authority making the rules is a Local Government, in three consecutive issues of the local official Gazette in English and in such other language or languages as the Local Government may direct; and
- (b) when the authority making the rules is the Governor General in Council, in three consecutive issues of the Gazette of India in English, and in three consecutive issues of the local official Gazette (if any) of every Local Government in British India in English and in such other language or languages as the Local Government may direct.

[See Gazette of India, 1899, Pt. I, p. 244.]

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**THE GLANDERS AND FARCY ACT, 1899 (XIII OF 1899).**

“*Surra*” and “*Lymphangitis Epizootica*” specified as dangerous epidemic diseases.

*No. 2069—102-2, dated the 22nd September, 1910.*—In pursuance of section 2, sub-section (1), of the Glanders and Farcy Act, 1899 (XIII of 1899), as amended by the Glanders and Farcy Law Amendment Act, 1910 (XII of 1910), the Governor General in Council hereby specifies “*surra*” and “*lymphangitis epizootica*” as dangerous epidemic diseases within the meaning of section 2, sub-section (1), of the said Act.

[See Gazette of India, 1910, Pt. I, p. 969.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CHURCH OF SCOTLAND KIRK SESSIONS ACT, 1899 (XXIII OF 1899).**

**Kirk Session of St. Margaret's Church, Murree, and of St. Paul's Church, Rawalpindi.**

*No. 199, dated the 14th June, 1917.*—For the Department of Education Notification No. 195 (Ecclesiastical), dated the 15th June, 1916, substitute the following:—

In exercise of the power conferred by section 2, sub-section (2) of the Church of Scotland Kirk Sessions Act, 1899 (XXIII of 1899), the Governor General in Council is pleased to notify that the Kirk Session of St. Margaret's Church, Murree and of St. Paul's Church, Rawalpindi, has been duly constituted for ecclesiastical purposes in pursuance of an Act of the General Assembly of the Church of Scotland.

[See Gazette of India, 1917, Pt. I, p. 1077.]

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**Kirk Session at Karachi.**

*No. 228, dated the 9th June, 1921.*—In exercise of the power conferred by section 2, sub-section (2), of the Church of Scotland Kirk Sessions Act, 1899 (XXIII of 1899), the Governor General in Council is pleased to notify that the Kirk Session of the Church of Scotland at Karachi has been duly constituted for ecclesiastical purposes in pursuance of an Act of the General Assembly of the Church of Scotland.

[See Gazette of India, 1921, Pt. I, p. 856.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE PRISONERS ACT, 1900 (III OF 1900).

Jails to which persons sentenced to transportation may be sent.

*No. 1405, dated the 15th August, 1873.*—Under the provisions of section 21 of Act V of 1871,<sup>1</sup> the Governor General in Council is pleased to declare the Yerrowda Central Jail in the Bombay Presidency to be a prison in which persons sentenced to be kept in penal servitude may be confined.

*No. 1406, dated the 15th August, 1873.*—Under the provisions of section 319 of <sup>2</sup>Act X of 1872 (the Code of Criminal Procedure), the Governor General in Council is pleased to appoint the Yerrowda Central Jail to be a place to which persons sentenced to transportation in the Bombay Presidency may be sent.

[See Gazette of India, 1873, Pt. I, p. 732.]

*No. 537, dated the 13th December, 1899.*—Under the provisions of section 33 of the Prisoners' Act, 1871 (V of 1871), as amended by section 2 of the Prisoners' Act Amendment Act, 1882 (IX of 1882), the Governor General in Council is pleased to appoint the following Jails in the Madras Presidency as places to which persons sentenced to transportation may be sent:—

The Central Jails at Rajahmundry, Vellore, Salem, Trichinopoly, Coimbatore and Cannanore and Her Majesty's Penitentiary at Madras.

2. Home Department Notification No. 953, dated the 11th June, 1868, is hereby cancelled.

[See Gazette of India, 1899, Pt. I, p. 1066.]

*No. 158, dated the 9th April, 1891.*—In exercise of the power conferred by section 33 of the Prisoners Act, V of 1871, as amended by Act IX of 1882,<sup>1</sup> the Governor General in Council hereby appoints the Raipur Jail to be a place to which persons sentenced to transportation may be sent.

[See Gazette of India, 1891, Pt. I, p. 185.]

*No. 410, dated the 18th June, 1889.*—In exercise of the power conferred by section 33 of the Prisoners Act, V of 1871, as amended by Act IX of 1882,<sup>1</sup> the Governor General in Council hereby appoints the Delhi

<sup>1</sup> See now Act III of 1900.

<sup>2</sup> See now Act V of 1898.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE PRISONERS ACT, 1900 (III OF 1900).**

**Jails to which persons sentenced to transportation may be sent—*contd.***

*No. 109, dated the 8th March, 1895.*—The Governor General in Council is pleased, under section 33 of Act V of 1871, as amended by section 2 of Act IX of 1882,<sup>1</sup> to appoint the Umballa and Rawalpindi District Jails to be places to which persons sentenced to transportation may be sent.

[See Gazette of India, 1895, Pt. I, p. 133.]

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*No. 557, dated the 7th May, 1897.*—In exercise of the power conferred by section 33 of the Prisoners Act, 1871 (V of 1871), as amended by section 2 of the Prisoners Act Amendment Act, 1882 (IX of 1882),<sup>1</sup> and in supersession of the notifications of the Government of India in

No. 2246 dated 25th November 1870.	the Home Department marginally
No. 263, dated 25th April 1889.	cited, the Governor General in
No. 25, dated 12th January 1893.	Council is pleased to appoint the
	Jails at Rangoon, Moulmein,
	Bassein, Mandalay, Myingyan, Thayetmyo, and Insein as places within
	British India to which prisoners sentenced to transportation may be sent.

[See Gazette of India, 1897, Pt. I, p. 320.]

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*No. 5, dated the 16th January, 1907.*—In exercise of the powers conferred by section 32 of the Prisoners Act, 1900 (III of 1900), the Governor General in Council is pleased to appoint the following jails in Eastern Bengal and Assam as places to which persons under sentence of transportation may be sent:—

All central jails and the Gauhati, Tezpur and Sylhet jails.

[See Gazette of India, 1907, Pt. I, p. 48.]

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*No. 266, dated the 5th September, 1911.*—In exercise of the power conferred by section 32 of the Prisoners Act, 1900 (Act III of 1900), the Governor General in Council hereby appoints the Central Jail at Myaungmya to be a place to which persons sentenced to transportation may be sent.

[See Gazette of India, 1911, Pt. I, p. 741.]

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<sup>1</sup> See now Act III of 1900.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN TOLLS (ARMY) ACT, 1901 (II OF 1901).

Passes as to exemption from tolls.

*No. 1093, dated the 13th November, 1903.*—In exercise of the powers conferred by section 7, sub-sections (1) and (2), of the Indian Tolls (Army) Act, 1901 (II of 1901), the Governor General in Council is pleased to make the following rules, namely:—

*Rules.*

1. Save as hereinafter otherwise provided in rule 2, where exemption from the payment of tolls is claimed under the Indian Tolls (Army) Act, 1901 (II of 1901), in respect of any person or body of persons or any property, a pass, in the form annexed, shall be presented on the demand of the person authorised to demand the tolls.

2. (1) No passes shall be required in the case of---

(a) officers and soldiers of—

(i) His Majesty's Regular Forces,

(ii) any local corps, or

(iii) Imperial Service Troops,

in uniform when on duty or on the march;

(b) members of a corps of Volunteers in uniform when on duty or when proceeding to or returning from duty;

(c) officers and soldiers of the Indian Reserve Forces in uniform when proceeding from their place of residence on being called out for training or service or when proceeding back to their place of residence after such training or service;

(d) grass-cutters and other authorised followers of—

(i) His Majesty's Regular Forces,

(ii) any local corps,

(iii) Imperial Service Troops, or

(iv) any corps of Volunteers,

when they accompany any body of such Forces, Troops or Volunteers or any members of such corps on the march;

(e) members of the families of officers, soldiers, or authorised followers of—

(i) His Majesty's Regular Forces, or

(ii) any local corps,

when accompanying any body of troops, on duty or on the march;

(f) prisoners under military escort in uniform;

(g) the horses and baggage, and the persons (if any) employed in carrying the baggage, of any persons specified in any of the

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN TOLLS (ARMY) ACT, 1901 (II OF 1901).**

Passes as to exemption from tolls—*concl'd.*

*Schedule.*

	Number.	Name of Corps.	Remarks.
<b>PART I.</b>			
<i>Persons.</i>			
Officers . . . . .			
Soldiers . . . . .			
Members of Volunteer Corps . . . . .			
Grass-cutters employed in service of troops or volunteers.			
Authorised followers of troops or volunteers .			
Members of families of officers, soldiers or authorised followers.			
Persons in charge of horses, carriages, slaughter animals and baggage.			
Prisoners . . . . .			
<b>PART II.</b>			
<i>Property.</i>			
Horses as defined in the Act* . . . . .			
Carriages . . . . .			
Slaughter animals . . . . .			
Baggage . . . . .			

\* "Horse" includes a mule and any beast of whatever description which is used for burden or draught or for carrying persons. Section 2, clause (c).

(Sd.)

Place \_\_\_\_\_

Date \_\_\_\_\_

Commanding Officer of  
Station Staff Officer at  
District Magistrate at  
Officer authorised by Dist. Mgte. at  
Commissioner of Police at

*Endorsement.*

[Here enter rules 1 to 3.]

[See Gazette of India, 1902, Pt. I, p. 968.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE ASSAM LABOUR AND EMIGRATION ACT, 1901 (II OF 1901).**

**Assam Labour Board Rules—*contd.***

man, shall be left at or posted to the usual place of abode of every member of the Board.

10. The Chairman of the Board shall preside at every meeting at which he is present, and in the absence of the Chairman the members present shall elect one of their number to preside over that meeting.

11. No business shall be transacted at a meeting of the Board unless there are present at least five members.

12. The members of the Executive Committee shall be elected as follows, namely:—

(a) The representatives of the Indian Tea Association, Calcutta, and the Indian Tea Association, London, by the eight members of the Board, elected by the Indian Tea Association, Calcutta, as representatives of that Association and of the Indian Tea Association, London.

(b) The representative of the Assam Branch, Indian Tea Association, by the four members of the Board, elected by the Assam Branch, Indian Tea Association.

(c) The representative of the Surma Valley Branch, Indian Tea Association, by the three members of the Board, elected by the Surma Valley Branch, Indian Tea Association.

13. The Executive Committee shall meet at Calcutta or at such other place as the Chairman thinks fit and shall meet as often as he thinks fit, regard being had to the business to be disposed of.

14. No business shall be transacted at a meeting of the Executive Committee unless there are present at least three members.

15. Subject to the provisions of the Act and these Rules, the Executive Committee may from time to time, make regulations with respect to the summoning, notice, management, and adjournment of their meetings.

16. The Executive Committee shall have power to dispose finally of all matters referred to it by general or special order of the Board for final disposal \* \* \* \* \*

17. The Chairman shall be the principal executive officer of the Board and, in addition to the powers and duties conferred upon him by these Rules, shall

(a) present all important papers and matters to the Board or the Executive Committee as early as practicable,

<sup>1</sup> Omitted by Notification No. L-1181, dated 8th January, 1925, *see* Gazette of India, 1925, Pt. I, p. 45.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.**

**THE ASSAM LABOUR AND EMIGRATION ACT, 1901 (II OF 1901).**

**Assam Labour Board Rules—contd.**

(2) Subject to the scale of establishment fixed under clause (1) the Chairman shall have power to appoint, dismiss, grant leave to, fine, suspend or reduce any person in the service of the Board:

Provided that no person shall be appointed to, or dismissed from, an office the salary of which is one hundred and fifty rupees or upwards without the sanction of the Board at a meeting.

23. The procedure regulating the rate at which the cess referred to in section 116-E. of the Act shall be levied from the 1st July 1916 shall be as follows:—

Procedure for regulating the rate of cess, payable under section 116-E. of the Act.

At the meeting of the Board to be held, under the provisions of rule 7, in March of each year (or as near thereto as may be convenient), the Chairman shall lay before the Board an estimate of the receipts and expenditure of the Board for the year beginning on the 1st July next following, together with proposals regarding the rate at which the cess shall be payable during the year. The estimates and the proposals as to the rate at which the cess shall be levied, after such revision, if any, as the Board may direct, shall be submitted to the Secretary to the Government of India, Department of Commerce and Industry, for sanction. The rate at which the cess shall be levied as sanctioned by the Government of India shall be notified in the *Gazette of India*.

<sup>1</sup>[24. (1) The cess shall be payable in the following manner:—

- (a) The cess payable on a garden-sardar shall be deposited by the employer in the local treasury in Assam prior to the countersignature of the certificate of such garden-sardar by the Inspector of Labourers or Magistrate under the provisions of section 59 of the Act, and when the cess has been realised, the said Inspector or Magistrate shall cause an endorsement to be made on the certificate to that effect. The total amount of the cess so deposited in each month shall be remitted by the Deputy Commissioner within the first week of the succeeding month by Remittance
- Recovery of cess. ~~Transfer~~ Transfer Receipt to the Chairman of the Board.
- When the cess at the prescribed rate has been deposited in the Treasury in respect of all the garden-sardars whose certificates have been countersigned under section 59 of the Act during the month covered by the remittance, the Deputy Commissioner shall, when making the remittance, furnish the said Chairman with a certificate to that effect. When the cess has not been so deposited in respect of all or any of such garden-sardars, the Deputy Commissioner shall,

<sup>1</sup> Substituted by Notification No. 6531-Emi., dated 9th June, 1917, see *Gazette of India*, 1917, Pt. I, p. 1048.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE ASSAM LABOUR AND EMIGRATION ACT, 1901 (II of 1901).

## Reduction on duty on policy of Sea Insurance.

respect of the persons recruited or engaged as labourers or assisted to emigrate by garden-sardars working under the supervision of such local agents, and to report the result of such check to the Chairman.]

<sup>1</sup>[24-A. The cess referred to in section 116-E. of the Act may be applied to the following purposes, namely, to the payment of:—

Purposes to which the cess may be applied.

- (a) such portion of the salary and allowances of the Chairman as the Governor General in Council may direct;
- (b) allowances to members of the Board to meet their expenses in attending meetings of the Board, or on other journeys performed on the business of the Board;
- (c) the salary and allowances of the supervisors and other establishment appointed by the Board, including any leave allowances, pensions and contributions towards a Provident Fund sanctioned by the Board, and including also such contributions towards the leave allowances and pensions of officers whose services have been lent by Government, as the Governor General in Council may direct;
- (d) contingent and other incidental expenses, including tour charges, connected with the maintenance of the Board's office and of the offices of officers appointed by them;
- (e) rewards for the detection or prosecution of offences under the Act;
- (f) refunds of the cess realised in respect of—
  - (i) garden-sardars and emigrants on whom it has been erroneously realised;
  - (ii) emigrants whose services as labourers have, in the opinion of the Board, for any reason not become available or fully available to employers;
- (g) interest which may fall due on any loan contracted by the Board or on any overdraft of the Board's account with the Bank of Bengal sanctioned by the Board;
- (h) such other charges as the Board may, with the general or special sanction of the Government of India, direct.]

25. All moneys received on behalf of the Board shall be deposited in the Bank of Bengal to the credit of the Board, provided that the Board may, from time to time, authorise the retention in the charge of the Chairman of such sums as it thinks fit as petty cash to meet contingent expenditure.

Deposit moneys received on behalf of Board.

<sup>1</sup> Added by Notification No. 990, dated 6th April 1918, see Gazette of India, 1918, Pt. I, p. 474.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN TEA CESS ACT, 1903 (IX OF 1903).

#### Rate of Customs duty.

*No. 2152, dated the 21st April, 1923.*—In exercise of the power conferred by section 3 of the <sup>1</sup>Indian Tea Cess Act, 1903 (IX of 1903), the Governor General in Council, on the recommendation of the Indian Tea Cess Committee, is pleased to direct that the rate of the customs duty levied and collected on tea produced in India and exported from any customs port to any port beyond the limits of British India or to Aden shall be six annas per hundred pounds.

[See Gazette of India, 1923, Pt. I, p. 363.]

#### Establishment of Indian Tea Cess Committee.

*No. 2561-S. R., dated the 8th May, 1903.*—In exercise of the powers conferred by section 4, sub-section (1), of the <sup>1</sup>Indian Tea Cess Act, 1903 (IX of 1903), the Governor General in Council is pleased to constitute a committee to receive and expend the proceeds of the tea cess levied and collected under section 3 of the said Act: and, with reference to section 4 and sub-section (2), is further pleased to appoint the gentlemen named in the first column of the Schedule hereto annexed, on the recommendation of the bodies and authorities named in the second column of the said Schedule, to be the members of whom the said committee shall in the first instance consist:—

#### *Schedule.<sup>2</sup>*

Names of members.	Bodies or authorities by whom recommended.
1. E. Cable, Esq., President of the Bengal Chamber of Commerce.	2. } Bengal Chamber of Commerce. 3. }
2. Reginald Murray, Esq., Chief Manager, Commercial Bank of India, Limited.	
3. J. M. G. Proffit, Esq., of Messrs. Turner, Morrison & Co.	

<sup>1</sup> Genl. Acts, Vol. V.

<sup>2</sup> This Schedule has been varied from time to time; but these variations are too frequent to be shown here.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN TEA CESS ACT, 1903 (IX OF 1903).

#### Establishment of Indian Tea Cess Committee—*concl'd.*

Names of members.	Bodies or authorities by whom recommended.
18. Lieutenant-Colonel S. J. Rennie, R.A.M.C. (retired).	18. The Dehra Dun Planters Association.
19. A. Grey, Esq., Barrister-at-Law, Lahore.	19. The Kangra Valley Planters Association.
20. The Hon'ble Mr. G. L. Acworth.	20. The United Planters Association of Southern India.

[See Gazette of India, 1903, Pt. I, p. 333.]

#### Appointment of Members and procedure of Tea Cess Committee.

No. 6479-S. R., dated the 12th October, 1904.—In exercise of the powers conferred by section 7 of the Indian Tea Cess Act, 1903 (IX of 1903), the Governor General in Council is pleased to make the following rules to carry out the purposes of that Act:—

I.—In addition to the eleven appointments provided for by section 4, sub-section (2), clauses (a) and (b), of the Indian Tea Cess Act, 1903 (hereinafter referred to as “the Act”), nine of the members of the Tea Cess Committee shall be appointed by the Governor General in Council on the recommendation of the following bodies, namely:—

Two on the recommendation of the Assam Branch, Indian Tea Association;

Two on the recommendation of the Surma Valley Branch, Indian Tea Association;

One on the recommendation of the Darjeeling Planters Association and the Terai Planters Association jointly;

<sup>2</sup>[Two] on the recommendation of the Dooars Planters Association;

One on the recommendation of the Dehra Dun Planters Association;

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<sup>1</sup> Genl. Acts, Vol. V.

<sup>2</sup> This word was substituted for the word “one” by Notification No. 715-S-c., dated 31st January, 1914, see Gazette of India, 1914, Pt. I, p. 142.

<sup>3</sup> The entry relating to the Kangra Valley Planters Association was omitted by *ibid.*



## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN TEA CESS ACT, 1903 (IX OF 1903).

#### Appointment of Members and procedure of Tea Cess Committee—*contd.*

VIII.—The actual out-of-pocket expenses of members attending meetings of the Committee shall be chargeable to the funds of the Committee.

IX.—The accounts shall relate to the financial year, *i.e.*, to the year commencing on the 1st April, and shall be made up for each financial year and forwarded to the Government of India in the Finance and Commerce Department as soon after its close as possible.

X.—The receipts shall include all sums received by the Committee during the financial year to which the accounts relate, and shall be shown under the following heads:—

- (1) Sums received under section 5 (1) of the Act.
- (2) Other sums received under section 5 (2) of the Act.
- (3) Any interest that may have accrued from the investment of such sums as aforesaid.
- (4) Any receipts that may have been obtained from measures taken for promoting the sale or increasing the consumption of tea.

The total receipts only shall be shown under each of the above sub-heads; and the opening balance (if any) shall be added.

XI.—The expenditure shall be shown under the following heads:—

- (1) Office rent and establishment.
- (2) Measures taken for promoting the sale and increasing the consumption of tea in India.
- (3) Measures taken for promoting the sale and increasing the consumption of tea in other countries.
- (4) Contribution to Industrial Exhibitions.
- (5) Miscellaneous.

The closing balance of the year shall be shown at the foot of the account on the expenditure side.

XII.—In addition to the statements required by Rule XI separate statements under heads (2), (3), and (4) of that Rule shall be drawn up, and shall show on one side the amount allotted for the year by the Committee under Rule VI, and on the other the details of the expenditure, the sums paid to each firm or agent being shown independently. These separate statements shall also show the amount of liabilities incurred but not discharged at the close of the financial year to which they relate. Any unexpended balance, after allowing for such liabilities, shall be transferred to the General Account.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE VICTORIA MEMORIAL ACT, 1903 (X of 1903).

#### Trustees and their powers.

*No. 1430, dated the 26th March, 1903.*—In exercise of the power conferred by section 5 of the Victoria Memorial Act, 1903 (X of 1903), the Governor General in Council is pleased to make the following rules:—

#### *Trustees: Term of Office.*

1. A Trustee appointed under the Victoria Memorial Act, 1903, section 2, sub-section (I), clause (d) or clause (h), shall, subject to provisions of Rules 2 and 3 hold office for five years, and shall be capable of re-appointment.

2. If a Trustee appointed as aforesaid leaves India without the intention of returning, he shall thereupon cease to be a Trustee.

3. If a Trustee appointed as aforesaid gives notice in writing to the Trustees that he desires to resign his office, the Trustees shall cause such notice to be recorded in their proceedings, and the person so giving notice shall thereupon cease to be a Trustee.

#### *Meetings.*

4. Meetings of the Trustees shall be convened by the Governor General.

5. The quorum necessary for the transaction of business at a meeting of the Trustees shall be five.

6. The Governor General, or in his absence the Lieutenant-Governor of Bengal, shall preside at meetings of the Trustees. In the absence of both the Governor General and the Lieutenant-Governor, the Trustees present shall elect one of their number to preside.

7. The President at any meeting of the Trustees shall have a deliberative and also a casting vote.

#### *Committees.*

<sup>2</sup>[8. The Trustees, by resolution passed by a majority of those present and voting at a meeting, may from time to time appoint Committees to consist of any member or members of their body, for carrying out the purposes of the Act, and may delegate any of their powers, either with or without restriction or limitation, to such Committees, and may revoke any such appointment or extend, vary, modify or annul any delegation made or any restriction or limitation imposed.]

<sup>1</sup> Genl. Acts, Vol. V.

<sup>2</sup> Rules 8-11 were substituted by Notification No. 3150, dated 11th December, 1907, see Gazette of India, 1907, Pt. I, p. 1104.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE VICTORIA MEMORIAL ACT, 1903 (X OF 1903).

Trustees and their powers—*concl'd.*

Committee, and shall cause such accounts to be audited annually by a chartered accountant practising in Calcutta, and an abstract of such accounts, together with the auditor's certificate thereon, shall be published for general information.

*Investment of the Victoria Memorial Funds.*

<sup>1</sup>[13. The Trustees are authorized to retain or place on deposit with the Bank of Bengal or any other Bank approved by the Governor General in Council all or any part of the funds in their custody for the purposes of the Victoria Memorial Act, 1903, and to make such arrangements as to interest or otherwise as to them shall seem fit in their absolute discretion.]

<sup>2</sup>[14. (1) The Rules for the time being in force under sub-section (2), sub-section (3), and sub-section (4) of section 96B of the Government of India Act, for regulating the conditions on which leave, pensions, and gratuities may be granted to persons in the civil service of the Crown in India shall, in so far as the same may be applicable, apply to the permanent officers and servants of the Trustees, in respect of their service under the Trustees.

(2) In the Rules as so applied all references to the "Local Government" or "Government" shall be construed as referring to the "Trustees."]

Grant of leave, pension or gratuity, etc., to the permanent officers and servants of the Victoria Memorial Trust.

[See Gazette of India, 1903, Pt. I, p. 230.]

<sup>1</sup> Rule 13 was added by Notification No. 3239, dated 25th August, 1909, see Gazette of India, 1909, Pt. I, p. 761.

<sup>2</sup> Rule 14 was added by Notification No. F-1102, dated 24th October, 1922, see Gazette of India, 1922, Pt. I, p. 1276.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE INDIAN EXTRADITION ACT, 1903 (XV OF 1903).

#### Date of operation of Act.

*No. 1861-I. A., dated the 13th May, 1904.*—With reference to the notification of the Government of India in the Foreign Department, <sup>1</sup>No. 1860-A., dated the 13th May, 1904, and in exercise of the power conferred by section 1, sub-section (3), of the <sup>2</sup>Indian Extradition Act, 1903 (XV of 1903), the Governor General in Council is pleased to direct that the said Act shall come into force on the 1st day of June, 1904.

[*See Gazette of India, 1904, Pt. I, p. 364.*]

#### Procedure of Political Agents for surrender of accused persons to Native States.

*No. 1862-I. A., dated the 13th May, 1904.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and by section 22 of the <sup>2</sup>Indian Extradition Act, 1903 (XV of 1903), and in supersession of all previous rules on the same subject, the Governor General in Council is pleased, with effect from the 1st day of June, 1904, to make the following rules, namely:—

1. The Political Agent shall not issue a warrant under section 7 of the Indian Extradition Act, 1903 (hereinafter referred to as "the said Act"), in any case which is provided for by Treaty, if the State concerned has expressly stated that it desires to abide by the Procedure of the Treaty, nor in any case in which a requisition for surrender has been made by or on behalf of the State under section 9 of the said Act.

2. The Political Agent shall not issue a warrant under section 7 of the said Act except on a request preferred to him in writing either by, or by the authority of the person for the time being administering the Executive Government of the State for which he is a Political Agent, or by any Court within such State which has been specified in this behalf by the Governor General in Council, or by the Governor of Madras or Bombay in Council, as the case may be, by notification in the official Gazette.

3. If the accused person is a British subject, the Political Agent shall, before issuing a warrant under section 7 of the said Act, consider whether he ought not to certify the case as one suitable for trial in British India, and he shall, instead of issuing such a warrant, so certify the case, if he is satisfied that the interests of justice and the convenience of witnesses can be better served by the trial being held in British India.

4. The Political Agent shall, in all cases before issuing a warrant under section 7 of the said Act, satisfy himself, by preliminary inquiry or otherwise, that there is, *prima facie*, case against the accused person.

<sup>1</sup> This Notification republished an Order by the King in Council, declaring that Chapter II of the Act shall have effect in British India as if it were a part of the Extradition Act, 1870 (33 & 34 Vict., c. 52), Collection of Statutes relating to India, Volume I, p. 443. *See Gazette of India, 1904, Pt. I, p. 363.*

<sup>2</sup> Genl. Acts, Vol. V.

## AND ORDERS.

# Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE INDIAN EXTRADITION ACT, 1903 (XV of 1903).

### Procedure of Political Agents for surrender of accused persons to Native States—*concl'd.*

<sup>1</sup>[8.] Accused persons arrested in British India on warrants issued under section 7 or section 9 of the said Act shall be treated, as far as possible, in the same way as persons under trial in British India.

<sup>1</sup>[9.] A person sentenced to imprisonment by a Political Agent shall, if a British subject, be conveyed to the most convenient prison under British administration, and shall there be dealt with as though he had been sentenced under the local law:

Provided always that this rule shall not be construed so as to give such person any right of appeal other than that allowed by the rules for the time being in force for regulating appeals from the decisions of the Political Agent.

<sup>2</sup>[10. Nothing in these rules shall be held to apply to areas in Native States under British Jurisdiction in which the <sup>3</sup>Code of Criminal Procedure (Act V of 1898) is in force.]

[See Gazette of India, 1904, Pt. I, p. 364.]

### Powers of Magistrates in proceedings under the Indian Extradition Act, 1903.

No. 362-I., dated the 22nd July, 1925.—In exercise of the powers conferred by section 22 of the <sup>3</sup>Indian Extradition Act, 1903 (XV of 1903), the Governor-General in Council is pleased to make the following rule, namely:—

- (1) In any proceedings against any person under the provisions of the Indian Extradition Act, 1903, or of any treaty for the extradition of offenders, the Magistrate acting in such proceedings and any police officer authorised to arrest such person under the provisions of the said Act or of such treaty may exercise in any place in British India in respect of any property in the possession of such person or of any other person which appears to such Magistrate or police officer to have been the subject of or to be required for proof of the offence in respect of which the proceedings are being taken, the powers respectively of a Court and of an officer in charge of a police station under the Code of Criminal Procedure, 1898, as if such property were property the production of which is necessary for the purposes of any investigation or trial under the said Code by or before such Court or officer; and the provisions of the said Code, so far as

<sup>1</sup> Renumbered by Notification No. 254-I. B., dated 26th January, 1912, see Gazette of India, 1912, Pt. I, p. 75.

<sup>2</sup> This rule was added by Notification No. 254-I. B., dated 26th January, 1912, see Gazette of India, 1912, Pt. I, p. 75.

<sup>3</sup> Genl. Acts, Vol. V.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE INDIAN EXTRADITION ACT, 1903 (XV OF 1903).

Units of the Indian State Forces to be units desertion from which is an extradition offence.

No. 749-217-I., dated the 8th May, 1923.—In pursuance of the First Schedule to the Indian Extradition Act, 1903 (XV of 1903), the Governor General in Council is pleased to declare the following units of the Indian State Forces to be units desertion from which is an extradition offence, namely:—

## ALWAR.

- (a) Mangal Lancers.
- (b) Jey Paltan.

2\* \* \*

## BHAVNAGAR.

Bhavnagar Lancers.

## BIKANER.

- (a) Ganga Risala.
- (b) Sadul Light Infantry.

## FARIDKOT.

Faridkot Sappers.

## JODHPUR.

Sirdar Risala.

## JUNAGADH.

Junagadh Lancers.

## KHAIRPUR.

Khairpur Camel Transport Corps.

## NAVANAGAR.

Navanagar Lancers.

## PATIALA.

- (a) Rajindra Lancers.
- (b) 1st Patiala Infantry (Rajindra Sikhs).
- (c) 2nd Patiala Infantry.

<sup>1</sup> Genl. Acts, Vol. V.  
<sup>2</sup> The entry re Bahawalpur was cancelled by Notification No. 8-I., dated the 13th August, 1923, see Gazette of India, 1923, Pt. I, p. 912.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE INDIAN EXTRADITION ACT, 1903 (XV OF 1903).

Units of the Indian State Forces to be units desertion from which is an extradition offence—*contd.*

## JIND.

Jind Infantry.

## KAPURTHALA.

Jagatjit Infantry.

## KASHMIR.

- (a) No. 1 Kashmir Mountain Battery.
- (b) No. 2 Kashmir Mountain Battery.
- (c) Kashmir Artillery Depot.
- (d) 1st Kashmir Rifles (Raghu Partab regiment).
- (e) 2nd Kashmir Rifles (Body Guard regiment).
- (f) 3rd Kashmir Rifles (Raghunath regiment).

## MALERKOTLA.

Malerkotla Sappers.

## MYSORE.

- (a) Mysore Lancers.
  - (b) Mysore Transport Corps.
- 1\*   \*   \*   \*

## RATLAM.

Ratlam Despatch Riders.

## TEHRI—GARHWAL.

Tehri Sappers.

2\*   \*   \*   \*

[See Gazette of India, 1923, Pt. I, p. 417.]

<sup>1</sup> The entry *re* Nabha was cancelled by Notification No. 450-I., dated 23rd September, 1924, see Gazette of India, 1924, Pt. I, p. 853.

<sup>2</sup> The entry *re* Udaipur was cancelled by Notification No. 236-I., dated 25th May, 1925, see Gazette of India, 1925, Pt. I, p. 427.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN EXTRADITION ACT, 1903 (XV OF 1903).

Units of the Indian State Forces to be units desertion from which is an extradition offence—*contd.*

JIND.

Jind Body Guard.

JODHPUR.

Jodhpur Sardar Infantry.

KASHMIR.

Kashmir Body Guard Cavalry.

1\* \* \* \*

KHAIRPUR.

2\* \* \* \*

The Faiz Light Infantry.

LOHARU.

Loharu State Infantry.

Loharu State Camel Transport.

MALERKOTLA.

Malerkotla Lancers (Body Guard).

Malerkotla Infantry.

NAVANAGAR.

Navanagar State Infantry.

PALANPUR.

The Palanpur Body Guard.

The Iqbal Infantry.

PANNA.

Panna State Infantry ("A" Company).

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<sup>1</sup> The entry *re* 4th Kashmir Infantry (Training Battalion) was cancelled by Notification No. 259-I., dated 26th May, 1924, *see* Gazette of India, 1924, Pt. I, p. 407.

<sup>2</sup> The entry *re* Nawaz Body Guard Cavalry was cancelled by Notification No. 236-I., dated 25th May, 1925, *see* Gazette of India, 1925, Pt. I, p. 427.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN EXTRADITION ACT, 1903 (XV OF 1903).**

**Units of the Indian State Forces to be units desertion from which is an extradition offence—*contd.***

**DHARANGADHRA.**

Dharangadhra Cavalry.

**GWALIOR.**

1st Gwalior Maharani Sakhaya Raja's Own Infantry.  
2nd Gwalior Maharaja Jayaji Rao's Infantry.  
5th Gwalior Maharaja Jankoo Rao's Infantry. (Pioneers).  
7th Gwalior Scindia's Infantry (Training Battalion).  
1st Gwalior Mounted Infantry. (Silladari).  
2nd Gwalior Mounted Infantry. (Silladari).  
3rd Gwalior Mounted Infantry. (Pagnawisi).  
"A" Battery Scindia's Horse Artillery.  
"B" Battery Scindia's Horse Artillery.  
3rd Field Artillery.  
4th Heavy Battery.  
5th Field Artillery.  
6th Field Artillery.

**MANDI.**

Mandi Body Guard.  
Mandi Infantry.

**PORBANDAR.**

Body Guard.

**RAMPUR.**

Rampur Pioneers.  
Rampur Gurkha Company.

[See Gazette of India, 1923, Pt. I, p. 912.]

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*No. 259-I., dated the 26th May, 1924.*—In pursuance of the First Schedule to the <sup>1</sup>Indian Extradition Act, 1903 (XV of 1903), and with reference to the <sup>2</sup>Notification of the Government of India in the Foreign and Political Department, No. 8-I., dated the 13th August, 1923, the Governor General in Council is pleased to declare the following further

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<sup>1</sup> Genl. Acts, Vol. V.

<sup>2</sup> *Supra*, p. 394.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN EXTRADITION ACT, 1903 (XV OF 1903).

Units of the Indian State Forces to be units desertion from which is an extradition offence—*contd.*

*No. 450-I., dated the 23rd September, 1924.*—In pursuance of the First Schedule to the Indian Extradition Act, 1903 (XV of 1903), and with reference to the Notification of the Government of India in the Foreign and Political Department, No. 416-I., dated the 26th August, 1924, the Governor General in Council is pleased to declare the following further units of the Indian State Forces to be units desertion from which is an extradition offence, namely:—

DHAR.

Maharaj Kumari Kamla Raja's Own Dhar Light Horse, Dhar Infantry.

NABHA.

Nabha Akal Infantry.

[See Gazette of India, 1924, Pt. I, p. 853.]

*No. 236-I., dated the 25th May, 1925.*—In pursuance of the First Schedule to the Indian Extradition Act, 1903 (XV of 1903), and with reference to the Notification of the Government of India in the Foreign and Political Department, No. 450-I., dated the 23rd September, 1924, the Governor General in Council is pleased to declare the following further units of the Indian State Forces to be units desertion from which is an extradition offence, namely:—

BAHAWALPUR.

2nd Bahawalpur Haroon Infantry.

BIKANER.

Bikaner Camel Pack Battery.

KAPURTHALA.

2nd Line Infantry.

PATIALA.

A Battery, Patiala Horse Artillery.

B Battery, Patiala Horse Artillery.

UDAIPUR.

Mewar Lancers.

[See Gazette of India, 1925, Pt. I, p. 427.]

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<sup>1</sup> Genl. Acts, Vol. V.

<sup>2</sup> *Supra*, p. 398.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE ANCIENT MONUMENTS PRESERVATION ACT, 1904 (VII of 1904).**

**Prohibition of the removal from or bringing into certain places of certain antiquities.**

*No. 110, dated the 28th May, 1917.*—Whereas the Governor General in Council apprehends that antiquities are being sold or removed to the detriment of India from the Bijapur district in the Bombay Presidency.

The Governor General in Council, in exercise of the powers conferred by sub-section (1) of section 17 of the <sup>1</sup>Ancient Monuments Preservation Act, 1904 (VII of 1904) is pleased to direct that the following antiquities, namely:—

Sculptures, carvings, images, bas-reliefs, inscriptions and other antiquities of the Adil Shahi period shall not be taken out of the said district without the sanction of the Local Government.

[See Gazette of India, 1917, Pt. I, p. 989.]

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*No. 1385, dated the 8th July, 1924.*—Whereas the Governor General in Council apprehends that antiquities are being sold or removed, to the detriment of India, from the North-West Frontier Province and from territory adjacent thereto, the Governor General in Council, in exercise of the powers conferred by sub-section (1) of section 17 of the <sup>1</sup>Ancient Monuments Preservation Act, 1904 (VII of 1904), is pleased to prohibit the bringing or taking into or out of the said Province, save with the permission in writing of the Superintendent, Archæological Survey, Frontier Circle, of the following antiquities, namely, the ancient Buddhist sculptures known as Gandhara sculptures.

[See Gazette of India, 1924, Pt. I, p. 641.]

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<sup>1</sup> Genl. Acts, Vol. VI.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN UNIVERSITIES ACT, 1904 (VIII OF 1904).**

**Territorial limits of the five Indian Universities—*contd.***

against them by or under the Act of Incorporation of the said Indian Universities Act, 1904, shall be exercised :

TERRITORIAL LIMITS.		University.
<sup>1</sup> [Province (including any State in India which on the 20th August 1904 was in political relations with the local Government of the province and any foreign possession included within its boundaries).]	<sup>1</sup> [State in India or Colony.]	
Bengal <sup>2</sup> * * and Assam . . . .	.....	Calcutta.
Madras and Coorg . . . .	Hyderabad, Mysore and Ceylon	Madras.
Bombay and Sind . . . .	Baroda . . . .	Bombay.
United Provinces of Agra and Oudh, the Central Provinces (including Berar) and Ajmer-Merwara.	The States included in the Rajputana and Central India Agencies.	Allahabad.
Punjab, North-West Frontier Province and British Baluchistan.	Kashmir, Baluchistan . . . .	Punjab.

[See Gazette of India, 1904, Pt. I, p. 627.]

<sup>1</sup> Substituted by Notification No. 934, dated 30th April, 1925, see Gazette of India, 1925, Pt. I, p. 360.

<sup>2</sup> The word "Burma" was omitted by Notification No. 245, dated 16th February, 1921, see Gazette of India, 1921, Pt. I, p. 270.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN RAILWAY BOARD ACT, 1905 (IV OF 1905).

Investing the Railway Board with all the powers of the Governor General in Council in respect to agreements for joint working of Railway Stations.

*No. 2972, dated the 8th April, 1907.*—In exercise of the powers conferred by section 2 of the 'Indian Railway Board Act, 1905 (IV of 1905), as in force in British India and as locally applied by Foreign Department Notification No. 1097-F., dated the 24th March, 1905, and in supersession of the Notification in the Department of Commerce and Industry, No. 5814-Railways, dated the 25th July, 1906, the Governor General in Council is pleased to invest the Railway Board with all the powers or functions of the Governor General in Council under section 50, clause (d) of the 'Indian Railways Act, 1890 (IX of 1890), subject to the condition that the Railway Board shall in exercise of the said powers or functions act in accordance with the general rules or orders on the subject passed from time to time by the Government of India.

[See Gazette of India, 1907, Pt. I, p. 273.]

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Investing Railway Board with powers of Governor General regarding agreements as to rolling stock.

*No. 9940, dated the 17th December, 1906.*—In exercise of the powers conferred by section 2 of the 'Indian Railway Board Act, 1905 (IV of 1905), as in force in British India and as locally applied by Foreign Department Notification No. 1097-F., dated the 24th March, 1905, the Governor General in Council is pleased to invest the Railway Board with all the powers or functions of the Governor General in Council under section 49 of the 'Indian Railways Act, 1890 (IX of 1890), in the matter of agreements with Railway Companies for the construction of rolling stock, plant or machinery used on, or in connection with, railways, or for leasing or taking on lease any rolling stock, plant, machinery or equipments required for use on a railway, or for the maintenance of rolling stock, subject to the condition that the Railway Board shall, in the exercise of the said powers or functions, act in accordance with the general rules or orders on the subject passed from time to time by the Government of India.

[See Gazette of India, 1906, Pt. I, p. 927.]

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Investiture of Railway Board with powers and functions of the Governor General in Council under section 51 of the Railway Act (IX of 1890).

*No. 2140, dated the 28th February, 1908.*—In exercise of the powers conferred by section 2 of the 'Indian Railway Board Act, 1905 (IV of 1905), as in force in British India and as locally applied by Foreign

<sup>1</sup> Genl. Acts, Vol. VI.

<sup>2</sup> Genl. Acts, Vol. IV.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN COINAGE ACT, 1906 (III OF 1906).**

**Coinage of Bronze Coin.**

No. 3895-A., dated the 11th July, 1906.—In exercise of the powers conferred by sub-section (1) of section 10 and the proviso to section 24 of the 'Indian Coinage Act, 1906 (III of 1906), the Governor General in Council is pleased to direct as follows:—

- (1) The bronze coins specified in section 8 of the Act shall henceforth be coined and issued at the Mint.
- (2) The dimensions of such coins shall be as follows:—

	Diameter in Millimetres.
Pice . . . . .	25.4
Half-pice . . . . .	21.15
Pie . . . . .	17.45

- (3) and (4) Cancelled by Notification No. 7258-F., dated the 6th December, 1911, *infra*.

[See Gazette of India, 1906, Pt. I, p. 491.]

**Coinage and design of and inscription on nickel one-anna pieces.**

No. 4597-A., dated the 22nd July, 1907.—In exercise of the powers conferred by sub-section (1) of section 10 of the 'Indian Coinage Act, 1906 (III of 1906), the Governor General in Council is pleased to direct as follows:—

- (1) The nickel one-anna piece specified in section 6 of the Act shall henceforth be coined at the Mint and issued.
- (2) It shall have a waved edge with twelve scollops, its greatest diameter being 21 millimetres and its least diameter 19.8 millimetres. The rim shall not be milled.
- (3) Cancelled by Notification No. 7258-F., dated the 6th December, 1911, *infra*.

[See Gazette of India, 1907, Pt. I, p. 632.]

**Inscriptions on coins issued on and after the 12th December, 1911.**

No. 7258-F., dated the 6th December, 1911.—In exercise of the powers conferred by section 10, sub-section (1), of the 'Indian Coinage Act, 1906—

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN COINAGE ACT, 1906 (III OF 1906).

Coinage, design and inscription on nickel two-anna pieces—*contd.*

- (2) It shall be a square coin with rounded corners, its least diameter being 21 millimetres. The rim shall not be milled.
- (3) It shall bear on the obverse the effigy of His Majesty King George V and the inscription "George V King Emperor" with the year of coinage and the word India and on the reverse its designation in English, Urdu, Nagri, Bengali and Telugu.

[See Gazette of India, 1918, Pt. I, p. 427.]

Coinage, design and inscription on nickel four-anna and eight-anna pieces.

*No. 3129-F., dated the 10th December, 1919.*—In exercise of the powers conferred by section 10, sub-section (1) of the 'Indian Coinage Act, 1906 (III of 1906), as amended by the 'Indian Coinage (Amendment) Act, 1919 (XXI of 1919), the Governor General in Council is pleased to direct as follows:—

- (1) The nickel eight-anna<sup>1</sup> and four-anna pieces specified in section 6 of the Act shall henceforth be coined at the Mint and issued.
- (2) The eight-anna<sup>2</sup> coin shall be circular, the diameter being 26 millimetres. The rim shall not be milled.
- (3) It shall bear on the obverse the effigy of His Majesty King George V, and the inscription George V King-Emperor, and on the reverse the figure "8" in Roman character with the word "annas" below and the word "India" and the year of the coinage above, all encircled by a waved band enclosed within a square surrounded by the designation expressed in Urdu, Nagri, Bengali and Telugu.
- (4) The four-anna coin shall be a coin with a waved edge with eight crests and eight hollows. Its greatest diameter being 25 millimetres. The rim shall not be milled.
- (5) It shall bear on the obverse the effigy of His Majesty King George V, and the inscription George V King-Emperor with the year of coinage, and the word India, and on the reverse the figure "4" in Roman character with the word "annas" below, all within a square, surrounded by the designation expressed in Urdu, Nagri, Bengali and Telugu.

[See Gazette of India, 1919, Pt. I, p. 2374.]

<sup>1</sup> Genl. Acts, Vol. VI.

<sup>2</sup> Genl. Acts, Vol. IX.

<sup>3</sup> The eight-anna nickel coins were called in by Notification No. F.-7F., dated 13th June, 1924, *infra*, p. 411.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN COINAGE ACT, 1906 (III OF 1906).**

Copper coins issued from British Mints, and prohibition of re-issue of coins coined before Act XXI of 1835 came into force—*contd.*

will henceforth be re-issued from any Presidency Bank or Government office:—

- (1) Double-pice or half-an-anna.
- (2) Pice or a-quarter-of-an-anna.
- (3) Half-pice or one-eighth-of-an-anna.
- (4) Pie or one-twelfth-of-an-anna.

The coins to be thus re-issued are of two descriptions:—

*1st.*—The device upon the obverse of those coined under Acts passed before Act XIII of 1862 is the armorial bearings of the East India Company with a year of the Christian era. Upon the reverse is a laurel wreath surrounding the designation of the coin in English and (except the older half-pice, which only bear the date 1853) Persian, and the words "East India Company" in English.

*2nd.*—The device upon the obverse of those coined under Act XIII of 1862 and latter Acts is the effigy, name and title of the reigning Sovereign. Upon the reverse is a laurel wreath surrounding the designation of the coin in English over the word "India" and a year of the Christian era.

[Not published in Gazette.]

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**Calling in of all eight-anna nickel coins.**

*No. F-7-F., dated the 13th June, 1924.*—In exercise of the powers conferred by section 15-A of the Indian Coinage Act, 1906 (III of 1906), the Governor General in Council is pleased to call in, with effect from the 1st October, 1924, all eight-anna nickel coins issued under section 6 and referred to in section 13 of the said Act, and to direct that the said coins shall continue to be a legal tender at Government treasuries until the expiry of a further period of twelve months from the said date.

[See Gazette of India, 1924, Pt. I, p. 557.]

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**Persons authorized to cut or break diminished or defaced silver coins.**

*No. 1448-A., dated the 8th March, 1907.*—In exercise of the power conferred by section 16 of the Indian Coinage Act, 1906 (III of 1906), and in supersession of all notifications previously issued in this behalf,



Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN COINAGE ACT, 1906 (III OF 1906).

Persons authorized to cut or break diminished or defaced silver coins—*contd.*

3. And in exercise of the powers conferred by section 21 of the same Act, the Governor General in Council is pleased to prescribe the following rules, namely:—

<sup>1</sup>[(1) A loss of  $6\frac{1}{4}$  per cent. below standard weight in the case of the rupee and of  $12\frac{1}{2}$  per cent. in the case of the half-rupee, quarter-rupee and eighth of a rupee shall be the limit of reasonable wear; and a loss of 25 per cent. below standard weight shall be the further percentage referred to in section 17 of the Act, in the case of all silver coins.

(2) Where a rupee or a half-rupee, which has been diminished in weight so as to be more than 2 per cent but not more than  $6\frac{1}{4}$  per cent. or  $12\frac{1}{2}$  per cent., respectively, below standard weight, and which has not been fraudulently defaced, is tendered to any person authorised to act under section 16 of the Act, such person shall accept the coin at its nominal value, and the coin shall thereupon be withdrawn from circulation at Government cost.

(3) Where a rupee or a half-rupee which has been diminished in weight so as to be more than  $6\frac{1}{4}$  per cent. or  $12\frac{1}{2}$  per cent., respectively, but not more than 25 per cent. below standard weight, and which has not been fraudulently defaced, is tendered to any person authorised to act under section 16 of the Act, such person shall, if the tenderer so requests, instead of returning the cut coin, accept it at the following rates, namely:—

(a) rupees weighing between  $\frac{15}{16}$ ths and  $\frac{7}{8}$ ths of their proper weight, at the rate of 14 annas;

(b) rupees weighing between  $\frac{7}{8}$ ths and  $\frac{13}{16}$ ths of their proper weight, at the rate of 13 annas;

(c) rupees weighing between  $\frac{13}{16}$ ths and  $\frac{3}{4}$ ths of their proper weight, at the rate of 12 annas; and

(d) half-rupees at the rate of 6 annas.]

(4) Where a quarter-rupee or an eighth of a rupee which has been diminished in weight so as to be more than  $12\frac{1}{2}$  per cent. but not more than 25 per cent. below standard weight and which has not been fraudulently defaced, is tendered to any person authorised to act under section 16 of the Act, such person shall, if the tenderer so requests, instead of returning the cut coin, accept it at its nominal value, and it shall thereupon be withdrawn from circulation at Government cost.

<sup>1</sup> Substituted by Notification No. 3172-A., dated the 18th June, 1910, see Gazette of India, 1910, Pt. I, p. 511.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN COINAGE ACT, 1906 (III of 1906).**

**Persons authorized to cut or break diminished or defaced silver coins—*contd.***

weight than grains 120·27447 and 58·63723, respectively at their face value, and

- (b) when such coins are of less weight than grains 120·27447 and 58·63723, respectively, at their bullion value by weight:

Provided that such coins have not been illegally dealt with, that is, have not been impaired, diminished, or lightened otherwise than by fair wear and tear, or defaced by having any name, word, device or number stamped thereon, whether the coin has or has not been thereby diminished or lightened.

- (10) Light weight gold coins received under the preceding clause shall not be re-issued to the public.
- (11) In determining the loss of weight in the case of gold or silver coins, to which solder or other metal has been attached the weight of such solder or other metal shall not be taken into account.
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*Schedule referred to in paragraph 2 (2) of the Notification.*

**Banks—**

Allahabad Bank.  
 Alliance Bank of Simla.  
 Bank of Burma.  
 Bank of Rangoon.  
 Bank of Upper India.  
 Benares Bank.  
 Chartered Bank of India, Australia and China.  
 Commercial Bank of India.  
 Delhi and London Bank.  
 Deutsch-Asiatische Bank.  
 Hongkong and Shanghai Banking Corporation.  
 Mercantile Bank of India.  
 National Bank of India.  
 Native Commercial Bank.  
 People's Banking and Commercial Association.  
 Punjab Banking Company.  
 Russo-Chinese Bank.

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN COINAGE ACT, 1906 (III OF 1906).

Persons authorized to cut or break diminished or defaced silver coins—*concl'd.*

*Schedule referred to in paragraph 2 (2) of the Notification—concl'd.*

Firms—

- Messrs. Joseph Heap & Sons, Rangoon.
- „ Jules Karpeles & Co., Calcutta.
- „ J. W. Darwood & Co., Rangoon.
- „ King, King & Co., Bombay.
- „ Kruger & Co., Rangoon.
- „ Mohr Brothers & Co., Rangoon.
- „ Morrison, Dawn & Co., Rangoon.
- The Muir Mills Company, Cawnpore.
- Messrs. Murray & Co., Lucknow.
- New Egerton Woollen Mills Company, Dhariwal.
- The North-West Tannery Company, Cawnpore.
- Messrs. Parry & Co., Madras.
- The Planters Stores Agency Company, Chittagong.
- The Ruby Mines Company, Limited, Mogok.
- Messrs. Thomas Cook & Son, Calcutta, Bombay and Rangoon.
- „ Turner, Morrison & Co., Chittagong.
- „ Volkart Brothers, Bombay.
- „ Walker & Co., Madras.
- The Woollen Mills Company, Cawnpore.

[See Gazette of India, 1907, Pt. 1, p. 204.]

Cutting and breaking of counterfeit silver coins by the Indian Specie Bank, Ltd.

No. 127-A., dated the 8th January, 1909.—In exercise of the power conferred by section 20 of the Indian Coinage Act, 1906 (III of 1906), and in continuation of paragraph 2 of the Notification in the Finance Department, No. 1448-A., dated the 8th March, 1907, the Governor General in Council is pleased to authorise the Manager, Agent or other principal officer of the several offices and agencies in India of the Indian Specie Bank, Limited, to cut or break counterfeit silver coins.

[See Gazette of India, 1909, Pt. I, p. 34.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN COINAGE ACT, 1906 (III OF 1906).**

**RULES FOR THE RECEIPT OF GOLD BULLION AND COIN IN THE MINTS.**

*General Rules.*

1. The Mint is open for the receipt of gold bullion and coin between the hours of 10 A.M. and 3 P.M., Sundays and holidays excepted.
2. Gold bullion and coin must be tendered by the proprietor thereof in accordance with Form A or B, as the case may be, printed copies of which will be supplied by the Bullion Clerk of the Mint.
3. Gold bullion and coin brought to the Mint will be received by the Mint Master in accordance with the Notification of the Government of India, Finance and Commerce Department,<sup>1</sup> No. 2662, dated the 26th June, 1893, which is as follows:—

“The Governor General in Council hereby announces that, until further orders, gold coins and gold bullion will be received by the Mint Masters of the Calcutta and Bombay Mints, respectively, in exchange for Government rupees, at the rate of 7·58344 grains troy of fine gold for one rupee, on the following conditions:—

- (1) Such coin or bullion must be fit for coinage.
- (2) The quantity tendered at one time must not be less than 50 tolas.
- (3) A charge of one-fourth per mille will be made on all gold coin or bullion which is melted or cut so as to render the same fit for receipt into the Mint.
- (4) The Mint Master, on receipt of gold coin or bullion into the Mint, shall grant to the proprietor a receipt which shall entitle him to a certificate from the Mint and Assay Masters for the amount of rupees to be given in exchange for such coin or bullion payable at the General (Reserve) Treasury, Calcutta or Bombay. Such certificate shall be payable at the General Treasury after such lapse of time from the issue thereof as the Comptroller-General may fix from time to time.”

*Rules relating to Sovereigns and Half-Sovereigns.*

4. Sovereigns and half-sovereigns coined at the Royal Mint, or any authorised branch thereof, will be received at the Mint by weight, but:

<sup>1</sup> Repealed, see Notification No. 6903-A., dated the 11th December, 1906, and Notification No. 370-F., dated 2nd February, 1920, Gazette of India, Extraordinary, 1920, p. 114.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN COINAGE ACT, 1906 (III OF 1906).

Rules for the receipt of gold bullion and coin in the Mints—*contd.*

13. On completion of melting of assay, the Mint Master will deliver to the proprietor a certificate in Form E from the Mint and Assay Masters on his surrendering the receipt in Form D given to him under rule 11. A notice will be hung up in the bullion office indicating the period after which such certificate will be payable at the General (Reserve) Treasury.

14. The proprietor of any gold bullion who, being dissatisfied with the Assay Master's report of its fineness, wishes to withdraw such bullion can do so within twenty-four hours of his receipt of the certificate in Form E on repayment of a fee of Rs. 4 for each assay and the charge for melting, and on surrender of the said certificate.

15. Gold bullion in the course of receipt by the Mint may be transferred by the original proprietor to another on his signing a letter in Form F to the Mint Master notifying the transfer and paying Rs. 4 for each transfer. Such transfer will be recognised on the transferee re-tendering such bullion or coin in a letter in Form G. If the receipt in Form D has been already given to the original proprietor, it should be surrendered and another receipt in Form D will then be given to the transferee.

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*By-Laws of the Mint Bullion Depot.*

*External.*

1. All tenders of gold bullion and coin should specify either the number of sovereigns and half-sovereigns or the number of parcels of gold bullion and coin other than sovereigns and half-sovereigns (hereinafter called gold bullion) and in either case the approximate weight of the whole amount of the tender.

2. The tenders should be numbered in the order of delivery into the bullion depot when all sovereigns and half-sovereigns or parcels specified in the tender are brought in. When a portion only is brought in, the tender should be numbered after the delivery of the number of coins or parcels specified is completed.

3. The gold bullion and sovereigns and half-sovereigns tendered should be delivered by the authorised agent, who will see the locking up of the parcels or coins in the strong-room of the depot.

4. The tenders will be dealt with according to priority of numbers if the authorised agent be in attendance, if not, the next in succession, having an agent in attendance, will be taken in hand. The order of succession only applies to the gold taken out for melting.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN COINAGE ACT, 1906 (III OF 1906).

Rules for the receipt of gold bullion and coin in the Mints—*contd.*

FORM A.

TENDER OF GOLD BULLION.

To

THE MASTER OF HER MAJESTY'S MINT,  $\frac{\text{Calcutta}}{\text{Bombay}}$ .

SIR,

Be pleased to receive into the Bullion Depôt for the purpose of being melted and assayed at  $\frac{\text{my}}{\text{our}}$  sole risk and expense, \_\_\_\_\_ parcels of gold as detailed below, weighing approximately tolas \_\_\_\_\_ (tolas \_\_\_\_\_) in the aggregate, and to grant your receipt in accordance with the rules of the Mint entitling  $\frac{\text{me}}{\text{us}}$  to receive a certificate of value in rupees payable at the General (Reserve) Treasury,  $\frac{\text{Calcutta}}{\text{Bombay}}$  for all such portion of the gold tendered as shall be found hereafter fit for coinage.

The bullion will be delivered to you by \_\_\_\_\_ who is authorised to superintend its melting on  $\frac{\text{my}}{\text{our}}$  behalf, and who will attend for that purpose at such times as may be appointed.

*Description of gold.*

*Weight in tolas.*

Total \_\_\_\_\_

The

189 . }

Yours obediently,

*Master of the Mint.*

Passed into the Mint.

FORM B.

TENDER OF SOVEREIGNS AND HALF-SOVEREIGNS.

To

THE MASTER OF HER MAJESTY'S MINT,  $\frac{\text{Calcutta}}{\text{Bombay}}$ .

Sir,

Be pleased to receive into the Bullion Depôt of the Mint \_\_\_\_\_  
\_\_\_\_\_ (\_\_\_\_\_) sovereigns and \_\_\_\_\_

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN COINAGE ACT, 1906 (III OF 1906).

Rules for the receipt of gold bullion and coin in the Mints—*contd.*

FORM E.

HER MAJESTY'S MINT, <sup>CALCUTTA</sup><sub>BOMBAY</sub>.

Certificate No. , dated 189 .

I hereby certify that in the case of each ingot of gold specified below I have on assay found it to be of the fineness shown opposite to the Mint Register number.

HER MAJESTY'S ASSAY OFFICE; }  
the 189 . }

*Assay Master.*

Mint Register No.	Description of gold.	Weight in tolas.	Fine gold per mille.	Weight of fine gold in grains troy.
Total weight of fine gold in grains troy . . . . .				
Less melting charge (at one-fourth per mille) in grains troy . . . . .				
Net amount of fine gold in grains troy . . . . .				
Value in rupees at Re. 1 per 7.53344 grains troy . . . . .				

I hereby certify that the sum of Rs. \_\_\_\_\_ is payable \_\_\_\_\_ days after date at the General (Reserve) Treasury, Calcutta/Bombay, to \_\_\_\_\_ or order, and in full part of Mint receipt No. \_\_\_\_\_, dated \_\_\_\_\_ on account of \_\_\_\_\_ parcels or gold received from him/them.

Examined by

*Accountant.*

*Mint Master.*

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN COINAGE ACT, 1906 (III OF 1906).**

**Rules for the receipt of gold bullion and coin in the Mints—*concl'd.***

The bullion will be delivered to you by \_\_\_\_\_ who is authorised to superintend its melting on my/our behalf, and who will attend for that purpose at such times as may be appointed.

The

189

}

Yours obediently,

Pass into the Mint.

*Master of the Mint.*

[See Gazette of India, 1893, Pt. I, p. 494.]

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**Cessation of reception of silver bullion for coinage.**

<sup>1</sup>*Dated the 26th June, 1893.*—Sections 19 to 26 inclusive of the Indian Coinage Act, 1870 (XXIII of 1870), having been repealed by the Indian Coinage and Paper Currency Act, 1893, it is hereby notified that silver bullion tendered to the Mint for coinage will no longer be received. The terms on which gold will be received at the Mint are specified in Notification No. 2062, dated the 26th June, 1893, published in the Gazette of India Extraordinary of the same date.

Forms of tendering gold bullion or coin can be obtained at the Mint on application.

[See Gazette of India, 1893, Pt. II, p. 559.]

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**Orders as to receipt by Mints of worn coins.**

*No. 1910, dated the 29th March, 1877.*—The Governor General in Council is pleased to authorise the Mint Masters to receive in parcels of

<sup>1</sup> This notification was issued by the Mint Master, Calcutta.

<sup>2</sup> See now Resolution No. 3714-A., dated the 25th August 1893, *supra*, p. 418.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN COINAGE ACT, 1906 (III of 1906).**

**Explaining above notification—*contd.***

and that coins coined under Act XVII of 1835, or subsequently, have not been called in, and continue to be legal tender in satisfaction of all engagements in the manner and to the extent specified in the said Act.

[*See Gazette of India, 1878, Pt. I, p. 441.*]

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Extending period during which silver coins coined and issued before 1st September, 1835, shall continue to be legal tender in the case of Guaranteed Railway Companies.

*No. 202, dated the 26th April, 1878.*—The following Resolution is published for general information:—

Resolution.—The Governor General in Council is pleased to direct that the period during which silver coins coined and issued under the authority of the Government of India before 1st September, 1835, shall continue to be legal tender to the Government, be extended in the case of the Guaranteed Railway Companies, to the 1st July, 1878.

[*See Gazette of India, 1878, Pt. I, p. 281.*]

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**Sale of old double pice in stock.**

*No. 3383, dated the 25th October, 1880.*—Resolution.—The Governor General in Council observes that there is at present a large stock of double pice in the copper coin depôts for which there is practically no demand.

Accordingly His Excellency in Council directs that these double pice be broken up and sold as copper, and that till further orders no double pice be coined at the mints.

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**Rules for dealing with defaced silver coins.**

*No. 2776, dated the 6th September, 1878.*—Resolution.—Under the Indian Coinage Act, 1870, silver coins of British India, which have been clipped, or filed, or defaced, or diminished otherwise than by use, are declared not to be legal tender.

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<sup>1</sup> This Act has now been repealed by the Indian Coinage Act, 1906 (III of 1906), but the Notification is kept in force by s 24 of the General Clauses Act, 1897 (X of 1897), Genl. Acts, Vol. IV.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN COINAGE ACT, 1906 (III OF 1906).**

**Rules for dealing with defaced silver coins—*concl'd.***

5. In Provinces in which the Local Government shall be of opinion that the foregoing Rules C and D should not be immediately enforced, the following procedure shall apply:—

*F.* Rules A, B, and E will be carried out as in the other case.

*G.* Notice should be publicly given in the principal towns and bazars of the Province, that the practice of notching, or marking, or otherwise defacing, the coin renders it liable to be rejected by every one on tender for payment, and that it is the intention of the Government to refuse such coin in payment of public demands, after a reasonable time has elapsed within which the defaced coin can be exchanged for legal coin; that defaced coin which has lost weight otherwise than by reasonable wear, if tendered at a public treasury, will be liable to be cut or broken; and that the Government will enforce the law on this subject, at some future time which cannot be long delayed.

*H.* After a reasonable delay, to be determined by the Local Government, and to be notified for general information, no public officer should receive, in payment of Government demands, coins which have been greatly defaced, even though they have not lost so much weight as to cease to be a legal tender on that account.

*I.* The application of Rule D shall be so far modified, that only such coins shall be cut or broken as are notably reduced in weight otherwise than by reasonable wear.

6. The Local Governments will, from time to time, issue such instructions for the guidance of officers, in giving effect to Rules H and I, as they may think suitable to local circumstances, bearing in mind the importance of gradually eradicating the practice of defacing the coin.

7. In those Provinces in which Rules C and D are not enforced, special reports should be prepared yearly, for submission to the Government of India in the Finance Department, as to the condition of the coin in the public treasuries, and as to the progress made in suppressing the defacement.

8. The Currency Department should, for the present, report monthly the amount and description of coins received for re-coining, under the operation of this Resolution, with a statement of the provinces from which they were received.

[See Gazette of India, 1878, Pt. I, p. 560.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN COINAGE ACT, 1906 (III OF 1906).**

**Withdrawal of all copper coin issued before Act XXI of 1835 came into force—*contd.***

2. This duty must be held to devolve upon the Presidency Banks whenever they act as bankers for the Government.

3. The President in Council does not doubt that these institutions will cordially co-operate with the Government in measures for maintaining the quality of the copper coinage. The banks should accordingly be requested while freely receiving all copper coin, however greatly worn, that bears any trace of Government mintage, to take effective steps to prevent the payment to the public, whether in the course of their own business or on Government account, of any copper coin that has not previously been examined in detail and found fit for re-issue.

4. Similar measures should be taken at every Government treasury.

5. The Currency Department already assists in maintaining the quality of the copper coin in circulation by issuing good coin in exchange for silver. The exchange of picked for worn coin in small quantities should also be undertaken by the department.

[Not published in the Gazette.]

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**Supply of copper coin to Native States.**

*No. 4791, dated the 7th November, 1882.*—Resolution.—In supersession of the Resolution cited above, the Governor General in Council is pleased to declare that in future British copper coin\* shall be supplied by the Comptroller-General on application to all Native States at its nominal value, less the cost of conveyance from the place of supply to the place where it may be required.

2. The supply of copper coin to Native States shall be subject to the following conditions:—

- (a) Each Native State shall only be supplied with copper coin to the extent of its reasonable requirements for the purpose of its own currency.

Each indent will require the approval of the Political Officer concerned.

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\* In the term "British Copper Coin" are included single pice, half-pice and pieś, but not double pice, which are no longer coined.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE INDIAN COINAGE ACT, 1906 (III OF 1906).

Procedure as to reception in Mints of fraudulently altered coins and uncurrent silver—*contd.*

2. The Governor General in Council authorises the Mint Master to receive as bullion, under section 19 of the Indian Coinage Act, (1) coin remitted to him by Examiners of State Railway Accounts, which has been cut by the Treasury Officer under Rule 1 of the Notification in this Department dated the 5th January, 1883, and (2) coin remitted by Treasury Officers which has been received under Rule 2 of the Notification, even though the weight tendered is less than 1,000 tolas.

3. The Governor General in Council also authorises the Railway authorities to write off the loss in cases in which they consider the reduction of the weight in the coin to be such as would not be detected with reasonable care in the ordinary course of business.

[Not published in Gazette.]

## AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Execution of Decrees—*contd.*

## MAHI KANTHA.

- <sup>1</sup>[Court of the Manager of Malpur.  
Court of the Manager of Varsoda.  
Court of the Sarkari Kamdar of Pethapur.  
Court of the Sarkari Kamdar of Vadagam.  
Court of the Japtidar of Valasna.  
Court of the Japtidar of Magodi.  
Court of the Japtidar of Rupal.]

## REWA KANTHA.

- <sup>2</sup>[Huzur Court of Rajpipla.  
Court of the Sar-Nyayadhish of Rajpipla.  
Court of the Munsiff of Nandod.  
Court of the Munsiff of Jhagudia.]
- <sup>3</sup>[Huzur Court of the Baria State.  
Court of the Karbari of the Baria State.  
Court of the Naib Karbhari of the Baria State.  
Court of the Nayadhish of the Baria State.]
- <sup>4</sup>[Huzur Court, Balasinor.  
Court of the District Judge and Adviser, Balasinor.  
Court of the Nayadhish, Balasinor.  
Huzur Court of the Sunth State.  
Court of the Karbhari of the Sunth State.  
Court of the Nayadhish of the Sunth State.  
Huzur Court of the Chhota Udepur State.  
District Judge's Court, Chhota Udepur.  
Court of the Nayadish, Chhota Udepur.]

## SACHIN (SURAI).

- Court of the Judicial Commissioner of Sachin.  
Court of the Divan of Sachin.

<sup>1</sup> Substituted by Notification No. 103-I., dated 2nd March, 1925, see Gazette of India, 1925, Pt. I, p. 204.

<sup>2</sup> Substituted by Notification No. 2337-I. B., dated 26th August, 1920, see Gazette of India, 1920, Pt. I, p. 1634.

<sup>3</sup> Added by Notification No. 1078-I. B., dated 10th June, 1915, see Gazette of India, 1915, Pt. I, p. 770.

<sup>4</sup> Substituted by Notification No. 1385-D., dated 23rd March, 1910, see Gazette of India, 1910, Pt. I, p. 382.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Execution of Doorees—*contd.***

**SOUTHERN MARATHA COUNTRY.**

Court of the Chief of Miraj (Senior).

Court of the Nyayadhish of Miraj (Senior).

<sup>1</sup>[Court of the Munsiff of Laxmeswar.

Court of the Munsiff of Modnimb.]

<sup>2</sup>[Huzur Court.

Court of the District Judge.

Court of the Munsiff of Kawtha.

Court of the Munsiff of Gudgeri. } Miraj State (Junior).

Court of the Munsiff of Kuroli].

<sup>3</sup>[Court of the Chief.

Court of the District Judge.

Court of the First Class Subordinate Judge.

Court of the Second Class Subordinate Judge.] }

Ramdurg State.

Court of the Sub-Saranjamdar of Mhysal.

The Huzur Court of Sangli.

The Nyayadhish Court of Sangli.

The Subordinate Judge's Court, Central Division (Miraj Prant Taluka, including Sangli and the Terdai Taluka).

The Subordinate Judge's Court, Central Division (including the Talukas of Shahpur and Shirhatti).

The Subordinate Judge's Court, Northern Division (including the Talukas of Kuchi and Mangalwedhe).

**AKALKOT (SHOLAPUR).**

<sup>4</sup>[Court of the Rajasaheb of Akalkot.

Court of the District Judge, Akalkot.

Court of the Nyayadhish of Akalkot.

Court of the Subordinate Judge of Pilio and

Court of the Subordinate Judge of Kurla.]

<sup>1</sup> Added by Notification No. 840-I. B., dated the 22nd March, 1920, see Gazette of India, 1920, Pt. I, p. 575.

<sup>2</sup> Substituted by Notification No. 2460-I. B., dated 21st October, 1915, see Gazette of India, 1915, Pt. I, p. 1932.

<sup>3</sup> Added by Notification No. 554—1377-I., dated 10th April, 1923, see Gazette of India, 1923, Pt. I, p. 338.

<sup>4</sup> Substituted by Notification No. 2592-I. B., dated 7th November 1917, see Gazette of India, 1917, Pt. I, p. 1815.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Application of section 650-A of Code of 1882 to certain Courts, beyond British India, not established or continued by the Governor General in Council.**

*No. 2417-I., dated the 31st May, 1887.*—With reference to Foreign Department Notification <sup>1</sup>No. 868-I., dated the 13th March, 1885, and in exercise of the power conferred by section 650-A of the <sup>2</sup>Code of Civil Procedure, the Governor General in Council is pleased to declare the provisions of that section to apply to the undermentioned Civil Courts, which are situated beyond the limits of British India, and have not been established by the authority of the Governor General in Council.

*Kolahpur and Southern Maratha Country.*

Court of the Chief of Mudhol.

Court of the Nyayadhish of Mudhol.

[*See Gazette of India, 1887, Pt. I, p. 256.*]

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**Service of summons of Mysore Courts by Courts in British India.**

*No. 232-I. J., dated the 25th November, 1881.*—Under the provisions of section 650-A of the <sup>2</sup>Civil Procedure Code the Governor General in Council is pleased to declare that summonses issued by any Court in Mysore may be sent to the Courts in British India and served as if they had been issued by such Courts.

[*See Gazette of India, 1881, Pt. I, p. 589.*]

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**Service of summons of the Courts of the Baroda State by Courts in British India.**

*No. 1990-I., dated the 20th June, 1895.*—Under the provisions of section 650-A of the <sup>2</sup>Code of Civil Procedure (Act XIV of 1882), the Governor General in Council is pleased to declare that summonses issued by any Civil or Revenue Court in the Baroda State may be sent to the Courts in British India and served as if they had been issued by such Courts.

[*See Gazette of India, 1895, Pt. I, p. 561.*]

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<sup>1</sup> Repealed by Notification No. 4053-I. A., dated 18th September, 1902, which has been repealed in turn by Notification No. 2444-I. B., dated the 26th November, 1912, which was also repealed by Notification No. 835-D., dated the 12th February 1915. p. 455 *infra*.

<sup>2</sup> Repealed by the Civil Procedure Code, 1908, but the notification is kept in force by s. 157 of the Code.

## AND ORDERS.

Part II.—General Rules and Orders made under General  
Acts of the Governor General in Council—*contd.*

THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Application of section 650-A of the Code of 1882 to Civil Courts in Travancore,  
Cochin, Pudukota and Banganapallee—*contd.*

situate in the territories of His Highness the Maharaja of Travancore,  
His Highness the Raja of Cochin, His Highness the Raja of Pudukota,  
the Nawab of Banganapalle, and the Raja of Sandur, respectively, which  
have not been established or continued by the authority of the Governor  
General in Council:

*Travancore.*

1. District Court, Nagercoil.
2.     "     "     Trivandrum.
3.     "     "     Quilon.
4.     "     "     Allepey.
5.     "     "     Parur.
6. Munsiff's Court, Nagercoil.
7.     "     "     Padmanabhapuram.
8.     "     "     Neyyattinkara.
9.     "     "     Trivandrum. (Principal and additional.)
10.    "     "     Chirayinkil.
11.    "     "     Quilon.
12.    "     "     Kottarakara.
13.    "     "     Krishnapuram.
14.    "     "     Shencottah.
15.    "     "     Haripad.
16.    "     "     Tiruvalla.
17.    "     "     Alleppey.
18.    "     "     Shertallay.
19.    "     "     Vaikam.
20.    "     "     Kottayam.
21.    "     "     Muvattupuzha.
22.    "     "     Parur.
23.    "     "     Cardamom Hills.

*Cochin.*

1. Appeal Court, Cochin.
2. Zilla Court, Anjikaimal.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Application of section 650-A of the Code of 1882 to Civil Courts in Travancore-Cochin, Pudukota and Banganapalle—*concl.***

*Banganapalle.*

1. The Sadr Courts, Banganapalle.
2. The Adalat Court, Banganapalle.

*Sandur.*

1. The Dewan's Court, Sandur.

[See Gazette of India, 1961, Pt. I, p. 582.]

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**Application of section 650-A of the Code of 1882 to Travancore.**

*No. 4229-I. A., dated the 16th November, 1901.*—In continuation of the Notification of the Government of India in the Foreign Department, No. 3095-I. A., dated the 16th August 1901, and in exercise of the power conferred by section 650-A of the <sup>1</sup>Code of Civil Procedure (Act XIV of 1882), the Governor General in Council is pleased to declare the provisions of the said section to apply to the High Court of Travancore, situate in the territories of His Highness the Maharaja of Travancore, which has not been established or continued by the authority of the Governor General in Council.

[See Gazette of India, 1901, Pt. I, p. 977.]

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**Service in British India of summonses of Civil and Revenue Courts in certain Tributary States.**

*No. 2806-I. B., dated the 10th July, 1908.*—Under the provisions of section 650-A of the <sup>1</sup>Code of Civil Procedure (Act XIV of 1882), the Governor General in Council is pleased to declare that summonses issued by any Civil or Revenue Court within the territories of the States named

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<sup>1</sup> Repealed by Act V of 1908 (Code of Civil Procedure), but the notification is kept in force by s. 157 of this Act.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Application of section 29 of the Code to Civil Courts in certain Foreign European Countries—*contd.***

provisions of that section apply to the Civil Courts in France, Spain, Belgium, Russia <sup>1\*</sup> \* and Portugal.

[See Gazette of India, 1913, Pt. I, p. 102.]

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**Summonses issued by Civil or Revenue Courts in Kashmir to be served by Courts in British India.**

*No. 2303-I. B., dated the 29th November, 1910.*—Under the provisions of section 29 of the Code of Civil Procedure, 1908 (V of 1908), the Governor General in Council is pleased to declare that summonses issued by any Civil or Revenue Court in the Kashmir State may be sent to the Courts in British India and served as if they had been issued by such Courts.

[See Gazette of India, 1910, Pt. I, p. 1163.]

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**Summonses issued by Civil or Revenue Courts in the Benares State to be served by Courts in British India.**

*No. 1340-I. B., dated the 30th June, 1911.*—Under the provisions of section 29 of the Code of Civil Procedure, 1908 (V of 1908), the Governor General in Council is pleased to declare that summonses issued by the Civil and Revenue Courts in the Benares State named in the Schedule to this notification may be sent to the Courts in British India and served as if they had been issued by such Courts.

*Schedule.*

1. Chief Judge's Court, Ramnagar.
2. Collector's Court, Korh.
3. Collector's Court, Chakia.
4. Judge's Court, Korh.
5. Civil Judge's Court, Chakia.
6. Assistant Collector's Court, Korh.
7. Assistant Collector's Court, Chakia.

[See Gazette of India, 1911, Pt. I, p. 490.]

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<sup>1</sup> The word "Germany" was cancelled by Notification No. 1479, dated 29th October, 1915, see Gazette of India, 1915, Pt. I, p. 1955.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Application of section 29 of the Code to Courts in the Rampur State—*contd.*

3. The Court of the District Judge.
4. The Court of the Council of Khandan.
5. The Court of the Mufti Dewani.
6. The Court of Small Causes.
7. The Court of the Munsif, Hazur Tahsil.
8. The Court of the Munsif, Shahabad.
9. The Court of the Munsif, Milak.
10. The Court of the Munsif, Bilaspur.
11. The Court of the Munsif, Suar.
12. The Court of the Munsif, Tanda.
13. The Court of the Munsif, Noabadi.
14. The Court of the Revenue Secretary.
15. The Court of Nizam.
16. The Court of the Assistant Collector, 1st Class (Settlement Officer).
17. The Court of the Assistant Collector, (Tahsildar, Hazur Tahsil).
18. The Court of the Assistant Collector, (Tahsildar, Shahabad).
19. The Court of the Assistant Collector, (Tahsildar, Milak).
20. The Court of the Assistant Collector, (Tahsildar, Bilaspur).
21. The Court of the Assistant Collector, (Tahsildar, Suar).
22. The Court of the Assistant Collector, (Tahsildar, Tanda).
23. The Court of the Assistant Collector, (Tahsildar, Noabadi).

[See Gazette of India, 1919, Pt. I, p. 1731.]

Application of section 29 of the Code to the Chief Court of Sikkim.

No. 2856-I. B., dated the 26th August, 1920.—In pursuance respectively of section 29 and of Rule 26 (b) of Order V of the First Schedule of the Code of Civil Procedure, 1908 (V of 1908), the Governor General in Council is pleased to declare—

- (1) that the provisions of section 29 of the said Code shall apply to the Chief Court of Sikkim in exercise of its civil jurisdiction; and
- (2) that service by the said Court in exercise of its civil jurisdiction of any summons issued by a Court under the said Code shall be deemed to be valid service.

[See Gazette of India, 1920, Pt. I, p. 1634.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Application of section 29 of the Code to Courts in Kenya and summons issued by Courts in British India and certain Administered Areas to be served by such Courts—*contd.***

3. The Cantonment of Baroda.
4. The Administered Areas in the Hyderabad State.
5. The Civil and Military Station of Bangalore.
6. Berar.

[*See Gazette of India, 1924, Pt. I, p. 740.*]

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*No. 499-I., dated the 8th October, 1924.*—In pursuance respectively of section 29 and of clause (b) of rule 26 of Order V in the First Schedule to the Code of Civil Procedure (Act V of 1908), as applied to the areas specified in the Schedule hereto annexed, the Governor General in Council is pleased to declare—

- (1) that the provisions of section 29 of the said Code shall apply to the Civil Courts in Kenya: and
- (2) that the service by such Courts of any summons issued by a Court within any of the said areas under the Code as applied thereto, shall be deemed to be valid service.

*Schedule.*

1. The Administered Areas in Kathiawar.
2. The Kolhapur Civil Station.
3. The Sadar Bazar.
4. The Cantonment of Deesa.

[*See Gazette of India, 1924, Pt. I, p. 897.*]

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**Application of section 29 of the Code to certain Courts in the Central India Agency.**

*No. 663-I. B., dated the 15th March, 1912.*—The Governor General in Council is pleased to declare that the provisions of section 29 of the Code of Civil Procedure, 1908 (V of 1908), shall apply to the Courts specified in the schedule hereto annexed.

The Governor General in Council is further pleased to declare that summonses issued by Courts in British India under the said Code may be served by any of the Courts specified in the said Schedule.

The Notification of the Government of India in the Foreign Department, No. 928-I., dated the 12th March, 1896, is hereby cancelled.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.**

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Application of section 29 of the Code to certain Courts in the Central India Agency—contd.**

*Schedule—contd.*

Name of Court.	Class of Court.	Place.
<i>Bhopal Agency.</i>		
1. [High Court of Judicature] . . .	Civil . . . .	Bhopal, Bhopal State.
2. District and Sessions Court . . .	" . . . .	" "
3. Revenue Minister's Court . . .	Revenue . . .	" "
4. Nazim of Eastern District . . .	Civil and Revenue .	Raisen "
5. " Western " . . .	" " . . .	Ashra " "
6. " Southern " . . .	" " . . .	Kaliakheri "
7. Judge's Court, Rajgarh . . .	" " . . .	Biaora, Rajgarh State.
8. Civil Judge . . . .	Civil . . . .	Narsingarh, Narsingarh State.
9. Revenue Officer . . . .	Revenue . . .	" " "
10. Court of Superintendent, Khilchipur	Civil and Revenue .	Khilchipur, Khilchipur State.
11. Court of Superintendent, Kurwai .	" " . . .	Kurwai, Kurwai State.
12. " " Pathari . . .	" " . . .	Pathari, Pathari State.
13. " " Muhammadgarh. . .	" " . . .	Muhammudgarh, Muhammadgarh State.
14. Court of Nawab of Basoda (Haidergarh and Basoda).	" " . . .	Basoda, Basoda State.
<i>Malwa Agency.</i>		
1. The Civil Judge's Court . . .	" " . . .	Dewas, S. B., Dewas State.
2. The District Court . . .	" " . . .	Dewas, J. B., Dewas State.
3. The Chief Judge's Court . . .	Civil . . . .	Jaora, Jaora State.
4. The Chief Court of the Suba . . .	Revenue . . .	" "
5. The Judge, Rutlam . . .	Civil and Revenue .	Rutlam, Rutlam State.

<sup>1</sup> Substituted for the words "Judicial Minister's Court" by Notification No. 79—1210-Int., dated 16th January, 1923, see Gazette of India, 1923, Pt. I, p. 43.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Application of section 29 of the Code to certain Courts in the Central India Agency—*contd.*

#### *Schedule—contd.*

Name of Court.	Class of Court.	Place.
<i>Malwa Agency—contd.</i>		
6. The Sirnyayadhis Court Durbar, Sitawan.	Civil and Revenue .	Sitawan, Sitawan State.
7. The Court of Sirnyayadhis, Sailana	" "	Sailana, Sailana State.
<i>Baghelkhand Agency.</i>		
1. The Court of the Revenue Commissioner.	Revenue .	Rewa, Rewa State.
2. The Court of the Judicial Commissioner.	Civil . . .	" "
3. The Court of the Civil Judge .	Civil and Revenue .	" "
4. The Court of the Deputy Magistrate	" "	Huzar Tehsil, Rewa State.
5. " " " " "	" "	Teonthar Tehsil "
6. " " " " "	" "	Raghurajnagar Tehsil, Rewa State.
7. " " " " "	" "	Mauganj Tehsil, Rewa State.
8. " " " " "	" "	Bardi Tehsil "
9. " " " " "	" "	Baohari Tehsil "
10. " " " " "	" "	Sohagpur Tehsil "
11. " " " " "	" "	Bandhogarh Tehsil "
12. The Court of the Assistant Deputy Magistrate.	" "	Umaria, Rewa State.
13. The Court of the Dewan . .	" "	Baraundha, Baraundha State.
14. " " " " "	" "	Mailhar, Mailhar State.
15. " " " " "	" "	Sohawal, Sohawal State.
16. " " " " "	" "	Nagod, Nagod State.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*concl'd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Application of section 29 of the Code to certain Courts in the Central India Agency—*concl'd.***

*Schedule—concl'd.*

Name of Court.	Class of Court.	Place.
<i>Bhopawar Agency.</i>		
1. District Magistrate's Court, Dhar .	Civil . . .	Dhar, Dhar State.
2. The Chief Revenue Officer's Court, Dhar.	Revenue . . .	" "
3. The Chief Judge's Court, Barwani .	Civil . . .	Barwani, Barwani State.
4. The Revenue Officer's Court . . .	Revenue . . .	" "
5. The Nazim's Court, Jhabua .	Civil and Revenue .	Jhabua, Jhabua State.
6. The Munsiff's Court, Alirajpur .	" "	Alirajpur, Alirajpur State.
7. The Court of Kamdar, Jobat .	" "	Jobat, Jobat State.

[See Gazette of India, 1912, Pt. I, pp. 349-352.]

**Application of section 29 of the Code to certain Courts in certain Indian States in the Western India Agency.**

*No. 835-D., dated the 12th February, 1915.*—In supersession of the Notification of the Government of India in the Foreign Department, No. 2444-I. B., dated the 26th November, 1912, as subsequently amended, the Governor General in Council is pleased to declare that the provisions of section 29 of the Code of Civil Procedure, 1908 (V of 1908), shall apply to the Courts specified in the Schedule hereto annexed.

The Governor General in Council is further pleased to declare that service by the said Courts of any summons issued by a Court in British India under the said Code shall be deemed to be valid service.

*Schedule.*

**SUKKUR.**

Court of His Highness the Mir of Khairpur.	}	Khairpur.
Court of the Wazir of His Highness the Mir of Khairpur.		

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Application of section 29 of the Code to certain Courts in certain Indian States in the Western India Agency—*contd.***

*Schedule—contd.*

*SUKKUR—contd.*

Court of the Mukhtyarkhars of Khairpur, Gambat, Mirwah, Nara and the Nazam Adalat.	} Khairpur.
Court of the Head Munshis of Khair- pur, Gambat, Mirwah and Nara.	
Additional District Court, Khairpur Division.	
Additional District Court, Mirwah Division.	
Court of the Mukhtyarkhar and Sub- ordinate Court, Taluka Faiz Ganj.	
Court of the Special Subordinate Judge, Kairpur.	
Court of the Resident and Subordi- nate Magistrate, Khairpur.	
Court of the Special Judge and Resi- dent Magistrate, Gambat.	

**CUTCH.**

The Huzur Court.	} Cutch State.
The Varisht Jadeja Court.	
The Varisht Khalsa Court.	
The Bhuj Court.	
The Mandvi Court.	
The Mundra Court.	
The Anjar Court.	
The Bhachau Court.	
The Rahpar Court.	
The Nakhtrana Court.	
The Abdasa Court.	
The Lakhpat Court.	
The Khavda Court.	
The Khadir Court.	
The Jakhau Court.	
The Madh Court.	
Court of Small Causes at Bhuj.	
Court of Small Causes at Mandvi.	
Court of Small Causes at Mundra.	
Court of Small Causes at Anjar.	
Court of Small Causes at Bhachau.	
Court of Small Causes at Rahpar.	



Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Application of section 29 of the Code to certain Courts in certain Indian States in the Western India Agency—*contd.*

*Schedule—contd.*

KAIRA.

Nyayadhish Court.	} Cambay State.
Sar Nyayadhish Court.	

MAHI KANTHA.

<sup>1</sup>[Court of the Sar Nyayadhish of the Idar State.

Court of the Manager of Polo.

Court of the Maharana of Danta.

Court of the Raolji of Malpur.

Court of the Raolji of Mansa.

Court of the Nyayadhish of Mansa.

Court of the Thakore of Mohanpur.

Court of the Thakore of Katosan.

Court of the Nyayadhish of Katosan.

Court of the Manager of Varsoda.

Court of the Thakore of Ranasan.

Court of the Thakore of Punadra.

Court of the Thakore of Ambliara.

Court of the Thakore of Pethapur.

Court of the Manager of Khadal.

Court of the Manager of Ghodasar.

Court of the Thakore of Ilol.

Court of the Thakore of Sudasna.

Court of the Thakore of Vasna.

Court of the Thakore of Valasna.

Court of the Thakore of Dabha.

Court of the Thakore of Vadagam.

Court of the Thakore of Sathamba.

Court of the Thakore of Dadhalia.

Court of the Japtidar of Magodi.

Court of the Thakore of Hapa.

<sup>1</sup> Substituted by Notification No. 1668-I. B., dated 10th June, 1920, see Gazette of India, 1920, Pt. I, p. 1159.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Application of section 29 of the Code to certain Courts in certain Indian States in the Western India Agency—*contd.***

*Schedule—contd.*

**MAHI KANTHA—*contd.***

Court of the Thakore of Satlasna.  
 Court of the Thakore of Khedawada.  
 Court of the Thakore of Ramas.  
 Court of the Thakore of Gabat.]  
<sup>1</sup>[Court of the Thakore of Kadoli.]

**PALANPUR.**

Huzur Court.	}	Palanpur State.
Appellate Court.		
Sar Nyayadhish Court.		
Bewan's Court.		
Small Causes Court.		
Deesa Tehsildar's Diwani Court.		
Dhanera Tehsildar's Diwani Court.		
Panthawada Tehsildar's Diwani Court.		
Gadh Thandar's Diwani Court.		
Meyta Tehsildar's Diwani Court.		
Chitroda Tehsildar's Diwani Court.	}	Radhānpur State.
Dhabhela Tehsildar's Diwani Court.		
Bapla Kamdar's Diwani Court.		
Court of the Sar Nyayadhish.		
Court of the Radhanpur Munsiff.	}	Tharad State.
Court of the Sami Munjpur Munsiff.		
Huzur Court.	}	Wao State.
Sar Nyayadhish Court.		
Personal Assistant's Court.		
Morwada Tehsildar's Court.		
Bhorole Talukdar's Court.	}	Warahi Taluka.
Huzur Court.		
Court of the Karbhari.		
Court of the Nyayadhish.	}	Dhima Taluka.
Warahi Talukdar's Court.		
Dhima Talukdar's Court.		

<sup>1</sup> Added by Notification No. 1737-I. B., dated 6th June, 1921, see Gazette of India, 1921, Pt. I, p. 852.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Application of section 29 of the Code to certain Courts in certain Indian States in the Western India Agency—*contd.*

#### *Schedule—contd.*

#### PALANPUR—*contd.*

Azam Waghela Samastsinhji and Chimansinhji's Court.	}	Diodar.
Azam Khanji's Court.		
Court of the Thara Judicial Kamdar.		Thara State.
Court of Thakore Rawalji Lakhaji.		Santalpur State.

#### REWA KANTHA.

Court of the Administrator.	}	Balasinor State.
Court of the Nyayadhis.		
<sup>1</sup> [Huzur Court.	}	Baria State.
Court of the Karbhari.		
Court of the Naib Karbhari.		
Court of the Nyayadhis.]		
Huzur Court.	}	Chota-Udepur State.
Court of the Nyayadhis.		
Huzur Court.	}	Lunawada State.
Court of the Nyayadhis.		
<sup>2</sup> [Huzur Court.	}	Rajpipla State.
Court of the Sar-Nyayadhis.		
Court of the Munsiff of Nandod.		
Court of the Munsiff of Jhagadia.]		
Huzur Court.	}	Sunth State.
Court of the Nyayadhis.		

#### SURAT.

Court of the Diwan of Sachin.	}	Sachin State.
Court of the Judicial Commissioner of Sachin.		
Court of the Diwan.	}	Dharampur State.
Court of the Nyayadhis.		
Court of the Diwan.		Bansda State.

<sup>1</sup> Substituted by Notification No. 2359-I. B., dated 29th July, 1918, *see* Gazette of India, 1918, Pt. I, p. 1226.

<sup>2</sup> Substituted by Notification No. 2835-I. B., dated 26th August, 1920, *see* Gazette of India, 1920, Pt. I, p. 1633.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Application of section 29 of the Code to certain Courts in certain Indian States in the Western India Agency—*contd.***

*Schedule—contd.*

**THANA.**

Court of the Sar Nyayadhish.	}	Jawhar State.
Court of the Nyayadhish.		

**NASIK.**

Court of the Deshmukh.	Surgana State.
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**POONA.**

Court of the State Karbhari.	Bhor State.
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**SATARA.**

Huzur Court, Aundh.	}	Aundh State.
Court of the District Judge, Aundh.		
Court of the Subordinate Judge, Aundh.		
Court of the Subordinate Judge, Kapli.		
Court of the Subordinate Judge, Atpadi.		
Court of the Subordinate Judge, Gundal.		
Huzur Court.	}	Phaltan State.
Court of the District Judge.		
Court of the 1st Class Subordinate Judge.		

**SHOLAPUR.**

Court of the Political Agent, Sholapur.	}	Akalkot State.
Court of the Nyayadhish of Akalkot.		
Court of the Nyayadhish of Pilio.		
Court of the Nyayadhish of Kurla.		
<sup>1</sup> [Court of the Assistant Judge, Akalkot.]		

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<sup>1</sup> Added by Notification No. 1629-I. B., dated 29th July, 1916, *see* Gazette of India, 1916, Pt. I, p. 1003.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Application of section 29 of the Code to certain Courts in certain Indian States in the Western India Agency—*contd.*

Schedule—*contd.*

BIJAPUR.

Huzur Court of the Chief.	}	Jath State.
Court of the 1st Class Subordinate Judge.		
Court of the 2nd Class Subordinate Judge.		

DHARWAR.

Court of the Diwan.	}	Savanur State.
Court of the 1st Class Subordinate Judge.		

KOLABA.

Court of the Sar Nyayadhish of Janjira.	}	Janjira State.
Court of the Munsiff at Janjira.		
*Court of the Madatnis Kamgar.		
*Court of the Mamlatdar.		

SAVANTVADI.

Court of the Political Agent, Savantvadi.	}
Court of the Chief Judge of Savantvadi.	
Court of the Nyayadhish of Savantvadi.	
Court of the Munsiff of Kudal.	

KOLHAPUR AND SOUTHERN MARATHA COUNTRY AGENCY.

The Court of His Highness the Maharaja of Kolhapur.	}	Kolhapur State.
The Combined Court of the Resident, Kolhapur, and Political Agent, Southern Maratha Country States, and His Highness the Maharaja of Kolhapur.		

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Application of section 29 of the Code to certain Courts in certain Indian States in the Western India Agency—*contd.*

#### *Schedule—contd.*

#### KOLHAPUR AND SOUTHERN MARATHIA COUNTRY AGENCY—*contd.*

The Court of the Sadar Amin, Kolhapur.

The Court of the Munsiff of Sirol.

The Court of the Munsiff of Gad Hinglaj.

The Court of the [Munsiff]<sup>1</sup>, Katkol.

The Court of the Jaghirdar of Kagal (Junior).

The Court of the Munsiff of Kagal (Junior).

The Court of the Jaghirdar of Bayda.

The Court of the Munsiff of Bayda.

The Court of the Jaghirdar of Ichalkaranji.

The Court of the Munsiff of Ichalkaranji.

The Court of the Munsiff of Ajra.

The Court of the Jaghirdar of Vishalgad.

The Court of the Munsiff of Vishalgad.

The Court of the Munsiff of Karvir.

The Court of the Jaghirdar of Kagal (Senior).

The Court of the Munsiff of Kagal (Senior).

The Court of the Himat Bahadur, Kolhapur.

The Court of the Munsiff of the Himat Bahadur Jaghir.

The Court of the Munsiff of Kapshi.

The Court of the Munsiff of Sarlashkar Jaghir.

Court of the Wahiwatdar of the Sub-Saranjam of Mhysal.

Court of the Nyayadhish of Miraj.

Court of the Munsiff of Lashmeshvar.

Court of the Munsiff of Modnimb.

Kolhapur State.

Miraj State (Senior).

<sup>1</sup> Substituted by Notification No. 1174-D., dated 21st February, 1917, *see* Gazette of India, 1917, Pt. I, p. 319.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*concl'd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Application of section 29 of the Code to certain Courts in certain Indian States in the Western India Agency—*concl'd.***

*Schedule—concl'd.*

**KOLHAPUR AND SOUTHERN MARATHA COUNTRY AGENCY—*concl'd.***

<sup>1</sup>[Huzur Court.]

Court of the District Judge.

Court of the Munsiff of Gudgeri.

Court of the Munsiff of Kawtha.

Court of the Munsiff of Kuroli.

Huzur Court.

Court of the 1st Class Subordinate Judge.

Court of the 2nd Class Subordinate Judge.

Court of the Administrator.

Court of the Nyayadhish.

Huzur Court.

Court of the Nyayadhish.

Court of the Munsiff of Miraj Prant.

Court of the Munsiff of Mangalveda, Kuchi and Terdal or Northern Division.

Court of the Sahapur and Shrihatti or Southern Division.

Huzur of the Chief's Court.

Court of the State Karbhari.

Court of the Daftardar.

Court of the Nyayadhish of Jamkhandi.

Court of the Munsiff of Kundgol.

Court of the Wahiwatdar of Wathar.

Court of the Wahiwatdar of Pathkal.

The Chief's Court.

The Sar Nyayadhish or the State Karbhari's Court.

The Court of the Nyayadhish of Kurundwad and Angol.

The Court of the Munsiff of Likota.

Huzur Court.

Court of the Nyayadhish.

Court of the Munsiff, Yellur.

Court of the Munsiff, Maindargi.

} Miraj State (Junior).

} Mudhol State.

} Ramdurg State.

} Sangli State.

} Jamkhandi State.

} Kurundwad (Senior) State.

} Kurundwad (Junior) State.

[See Gazette of India, 1915, Pt. I, p. 275.]

<sup>1</sup> Substituted by Notification No. 2458-I. B., dated 21st October, 1915, see Gazette of India, 1915, Pt. I, p. 1931.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

**Application of section 29 of the Code to certain Courts in the Gwalior State.**

*No. 2235-I. B., dated the 28th September, 1915.*—The Governor General in Council is pleased to declare that the provisions of section 29 of the Code of Civil Procedure, 1908 (V of 1908), shall apply to the Courts of the Gwalior State specified in the schedule hereto annexed.

The Governor General in Council is further pleased to declare that service by the said Courts of any summons issued by a Court in British India under the said Code shall be deemed to be valid service, provided that summonses shall not be issued by Courts in British India either to the Gwalior High Court or to the Gwalior Revenue Appeal Bench.

The Notification of the Government of India in the Foreign Department, No. 663-I. B., dated the 15th March, 1912, so far as it relates to Courts in the Gwalior Residency, is hereby cancelled.

### *Schedule.*

Namo of Court.	Class of Court.	Locality.
High Court . . . . .	Civil . . . . .	Gwalior.
Revenue Appeal Bench . . . . .	Revenue . . . . .	"
Prant (Divisional) Judge, Gwalior . . . . .	Civil . . . . .	"
" Malwa . . . . .	" . . . . .	Ujjain.
" Isagarh . . . . .	" . . . . .	Mungaoli
District Judge, Gwalior . . . . .	" . . . . .	Gwalior.
Suba, Gird Gwalior . . . . .	Revenue . . . . .	Antri.
District Judge, Bhind . . . . .	Civil . . . . .	Bhind.
Suba, Bhind . . . . .	Revenue . . . . .	"
District Judge, Tawarghar . . . . .	Civil . . . . .	Joura Alapur.
Suba, Tawarghar . . . . .	Revenue . . . . .	"
District Judge, Narwar . . . . .	Civil . . . . .	Sipri.
Suba, Narwar . . . . .	Revenue . . . . .	"
District Judge, Sheopur . . . . .	Civil . . . . .	Sheopur.
Suba, Sheopur . . . . .	Revenue . . . . .	"



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Application of section 29 of the Code to certain Courts in the Gwalior State—*contd.***

*Schedule—contd.*

Name of Court.	Class of Court.	Locality.
District Judge, Isagarh . . . .	Civil . . . .	Mungaoli.
Suba, Isagarh . . . . .	Revenue . . . .	Bajrangarh.
District Judge, Bhilsa . . . .	Civil . . . .	Bhilsa.
Suba, Bhilsa . . . . .	Revenue . . . .	"
District Judge, Shajapur . . . .	Civil . . . .	Shajapur.
Suba, Shajapur . . . . .	Revenue . . . .	"
District Judge, Ujjain . . . . .	Civil . . . .	Ujjain.
Suba, Ujjain . . . . .	Revenue . . . .	"
District Judge, Mandsaur . . . .	Civil . . . .	Mandsaur.
Suba, Mandsaur . . . . .	Revenue . . . .	"
District Judge, Amjhera . . . .	Civil . . . .	Amjhera.
Suba, Amjhera . . . . .	Revenue . . . .	"
Cantonment Magistrate of Morar . .	Civil . . . .	Morar.
" " Lashkar . . . . .	" . . . .	Lashkar Brigade.
Sub-Judge Lashkar . . . . .	" . . . .	Gwalior
Additional Sub-Judge, Lashkar . . .	" . . . .	"
Sub-Judge, Bhind . . . . .	" . . . .	Bhind.
" Bhilsa . . . . .	" . . . .	Bhilsa.
" Neemuch . . . . .	" . . . .	Neemuch.
" Ujjain . . . . .	" . . . .	Ujjain.
" Sipri . . . . .	" . . . .	Sipri.
" Shajapur . . . . .	" . . . .	Shajapur.
Peigana Judicial Officer Gird, Gwalior .	" . . . .	Gwalior.
Tahsildar Gird, Gwalior . . . . .	Revenue . . . .	Antri.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Application of section.29 of the Code to certain Courts in the Gwalior State—*contd.*

*Schedule—contd.*

Name of Court.	Class of Court.	Locality.
Pergana Judicial Officer, Pichero and Mastura.	Civil . . .	Antri.
Tahsildar Pichero, Gird . . .	Revenue . . .	Pichero (Gird).
Tahsildar, Mastura . . .	" . . .	Aronn.
Pergana Judicial Officer, Bhandar . .	Civil . . .	Bhandar.
Tahsildar, Bhandar . . .	Revenue . . .	"
Pergana Judicial Officer, Basoda . .	Civil . . .	Basoda.
Tahsildar, Basoda . . .	Revenue . . .	"
Pergana Judicial Officer, Ujjain . .	Civil . . .	Ujjain.
Tahsildar, Ujjain . . .	Revenue . . .	"
Pergana Judicial Officer, Isagarh . .	Civil . . .	Isagarh.
Tahsildar, Isagarh . . .	Revenue . . .	"
Pergana Judicial Officer, Ambha . .	Civil . . .	Ambha.
Tahsildar, Ambha . . .	Revenue . . .	"
Pergana Judicial Officer, Shujalpur .	Civil . . .	Shujalpur.
Tahsildar, Shujalpur . . .	Revenue . . .	"
Pergana Judicial Officer, Barnagar .	Civil . . .	Barnagar.
Tahsildar, Barnagar . . .	Revenue . . .	"
Pergana Judicial Officer, Kelaras . .	Civil . . .	Kelaras.
Tahsildar, Kelaras . . .	Revenue . . .	"
Pergana Judicial Officer, Gohad . .	Civil . . .	Gohad.
Tahsildar, Gohad . . .	Revenue . . .	"
Pergana Judicial Officer, Chanderi .	Civil . . .	Chanderi.
Naib Tahsildar, Chanderi . . .	Revenue . . .	"
" Bajrangarh . . .	Civil . . .	Bajrangarh.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Application of section 29 of the Code to certain Courts in the Gwalior State—*contd.*

*Schedule—contd.*

Name of Court.	Class of Court.	Locality.
Tahsildar, Bajrangarh . . . . .	Revenue . . . . .	Bajrangarh.
Pergana Judicial Officer, Mungaoli . . . . .	Civil . . . . .	Mungaoli.
Tahsildar, Mungaoli . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Sabalgarh . . . . .	Civil . . . . .	Sabalgarh.
Tahsildar, Sabalgarh . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Mandsaur . . . . .	Civil . . . . .	Mandsaur.
Tahsildar, Mandsaur . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Nahargarh . . . . .	Civil . . . . .	Nahargarh.
Tahsildar, Nahargarh . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Nurabad . . . . .	Civil . . . . .	Nurabad.
Tahsildar, Nurabad . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Bijaypur . . . . .	Civil . . . . .	Bijaypur.
Tahsildar, Bijaypur . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Pichore (Narwar). . . . .	Civil . . . . .	Pichore (Narwar).
Tahsildar Pichore (Narwar) . . . . .	Revenue . . . . .	" "
Pergana Judicial Officer, Lahar . . . . .	Civil . . . . .	Lahar.
Tahsildar, Lahar . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Mehgaon . . . . .	Civil . . . . .	Mehgaon.
Tahsildar, Mehgaon . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Susner . . . . .	Civil . . . . .	Susner.
Tahsildar, Susner . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Sonkach . . . . .	Civil . . . . .	Sonkach.
Tahsildar, Sonkach . . . . .	Revenue . . . . .	"

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Application of section 29 of the Code to certain Courts in the Gwalior State—*concl'd.*

*Schedule—concl'd.*

Name of Court.	Class of Court.	Locality.
Pergana Judicial Officer, Agar . . . . .	Civil . . . . .	Agar.
Tahsildar, Agar . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Kumbhraj . . . . .	Civil . . . . .	Kumbhraj.
Tahsildar, Kumbhraj . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Khachrod . . . . .	Civil . . . . .	Khachrod.
Tahsildar, Khachrod . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Karera . . . . .	Civil . . . . .	Karera.
Tahsildar, Karera . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Jawad . . . . .	Civil . . . . .	Jawad.
Tahsildar, Jawad . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Bakaner . . . . .	Civil . . . . .	Bakaner.
Tahsildar, Bakaner . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Gangapur . . . . .	Civil . . . . .	Gangapur.
Naib Tahsildar, Gangapur . . . . .	Revenue . . . . .	"
Pergana Judicial Officer, Singauli . . . . .	Civil . . . . .	Singauli.
Naib Tahsildar, Singauli . . . . .	Revenue . . . . .	"
Tahsildar, Sipri . . . . .	" . . . . .	Sipri.
" Jaura Alapur . . . . .	" . . . . .	Jaura Alapur.
" Bhind . . . . .	" . . . . .	Bhind.
" Bholsa . . . . .	" . . . . .	Bholsa.
" Nemuch . . . . .	" . . . . .	Nemuch.
" Sheopur . . . . .	" . . . . .	Sheopur.
" Sheopur . . . . .	" . . . . .	Sheopur.

[See Gazette of India, 1915, Pt. I, pp. 1867-70.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Application of section 29 of the Code to the Egyptian Mixed Courts.**

*No. 369, dated the 31st May, 1918.*—In exercise of the power conferred by section 29 of the Code of Civil Procedure, 1908 (Act V of 1908), the Governor General in Council is pleased to declare that the provisions of that section apply to the Egyptian Mixed Courts.

[*See Gazette of India, 1918, Pt. I, p. 840.*]

**Application of section 29 of the Code to the Civil Courts in Japan.**

*No. 1924, dated the 25th November, 1920.*—In exercise of the power conferred by section 29 of the Code of Civil Procedure, 1908 (Act V of 1908), the Governor General in Council is pleased to declare that the provisions of that section apply to the Civil Courts in Japan.

[*See Gazette of India, 1920, Pt. I, p. 2156.*]

**Application of section 29 of the Code to certain Courts in the Punjab States.**

*No. 332-I., dated the 23rd June, 1924.*—In supersession of the Notifications of the Government of India in the Foreign and Political Department, No. 504-I. B., dated the 19th April, 1915, and No. 2989-I. B., dated the 22nd December, 1917, and of all Notifications amending the same, the Governor General in Council is pleased to declare that the provisions of section 29 of the Code of Civil Procedure, 1908 (Act V of 1908), shall apply to the Courts specified in the Schedule hereto annexed.

The Governor General in Council is further pleased to declare that service by the said Courts of any summons issued by a Court in British India under the said Code shall be deemed to be valid service.

*Schedule.*

**PATIALA STATE COURTS.**

1. High Court, Patiala State, Patiala.
2. Revenue Commissioner Patiala State, Patiala.
3. Nazim, Karamgarh District (Headquarters), Sunam.
4. Nazim, Anahadgarh District (Headquarters), Barnala.
5. Nazim, Patiala District (Headquarters), Patiala.
6. Nazim, Mohindergarh District (Headquarters), Narnaul (R. M. Railway).
7. District Judge, Patiala Division (Headquarters), Patiala.
8. District Judge, Anahadgarh Division (Headquarters), Barnala.
9. District Judge, Mohindergarh Division (Headquarters), Narnaul, (R. M. Railway).

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Application of section 29 of the Code to certain Courts in the Punjab States—*contd.*

**BAHAWALPUR STATE COURTS.**

*Civil and Revenue Courts.*

1. Chief Court, Bahawalpur.
2. District Judge, Bahawalpur.
3. District Judge, Rahimyar Khan, District Khanpur.
4. District Judge, Minchinabad, District Khairpur.
5. Munsif, Minchinabad.
6. Tahsildar, Minchinabad.
7. Tahsildar, Bahawalpur.
8. Sub-Judge, Bahawalnagar.
9. Nazim, Bahawalnagar.
10. Tahsildar, Khairpur.
11. Munsif, Khairpur.
12. Sub-Judge, Bahawalpur.
13. Nazim, Bahawalpur.
14. Munsif, Bahawalpur.
15. Tahsildar, Bahawalpur.
16. Munsif, Ahmadpur East.
17. Tahsildar, Ahmadpur East.
18. Munsif, Allahabad.
19. Tahsildar, Allahabad.
20. Munsif, Khanpur.
21. Tahsildar, Khanpur.
22. Nazim, Rahimyar Khan.
23. Sub-Judge, Rahimyar Khan.
24. Tahsildar, Rahimyar Khan.
25. Munsif, Ahmadpur Lama.
26. Tahsildar, Ahmadpur Lama.

Part II.—General Rules and Orders made under General  
Acts of the Governor General in Council—*contd.*

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THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Application of section 29 of the Code to certain Courts in the Punjab States—*contd.*

<sup>1</sup>[JIND STATE COURTS.

(a) *Civil Courts.*

1. Revenue and Judicial Committee.
2. Civil and Sessions Judge, Sangrur.
3. Civil and Sessions Judge, Jind.
4. Nazim, Sangrur.
5. Nazim, Jind.
6. Nazim, Charkhi Dadri.
7. Tahsildar, Sangrur.
8. Tahsildar, Jind.
9. Tahsildar, Safidon.
10. Tahsildar, Charkhi Dadri.
11. Bench of Honorary Magistrates, Dayalpura.
12. Bench of Honorary Magistrates, Sangrur.
13. Bench of Honorary Magistrates, Jind.
14. Bench of Honorary Magistrates, Charkhi Dadri..

(b) *Revenue Courts.*

1. Revenue and Judicial Committee.
2. Civil and Sessions Judge, Sangrur.
3. Civil and Sessions Judge, Jind.
4. Revenue Officer.
5. Nazim, Sangrur.
6. Nazim, Jind.
7. Nazim, Charkhi Dadri.
8. Nahar Nazim, Sangrur.
9. Naib Nahar Nazim, Sangrur.
10. Naib Nahar Nazim, Jind.
11. Tahsildar, Sangrur.
12. Tahsildar, Jind.
13. Tahsildar, Safidon.
14. Tahsildar, Charkhi Dadri.]

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<sup>1</sup> Substituted by Notification No. 398-I., dated the 13th August, 1924, see *Gazette of India*, 1924, Pt. I, p. 741.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Application of section 29 of the Code to certain Courts in the Punjab States—*contd.*

NABHA STATE COURTS.

1. Chief Judicial Officer's Court, Nabha.
2. Nazim, Amloh District, Amloh.
3. Nazim of Phul District, Phul.
4. Nazim of Bawal District, Bawal.
5. The City Magistrate's Court, Nabha.
6. Revenue Officer's Court, Nabha.
7. Nazim Nahar's Court, Nabha.

KAPURTHALA STATE.

*Civil and Revenue Courts.*

1. Sadr.
2. Chief Court.
3. Mashir Mal.
4. Collector (for subordinate Courts also).
5. Magistrate, Kapurthala (also for local Honorary Magistrate).
6. Sub-Judge, Kapurthala.
7. Magistrate, Phagwara.
8. Honorary Magistrate, Phagwara.
9. Magistrate, Sultanpur.
10. Honorary Magistrate, Sultanpur.
11. Magistrate, Dhilwan.
12. Honorary Magistrate, Dhilwan.
13. Tahsildar, Bhunga.

MANDI STATE.

(a) *Civil Courts.*

1. The Superintendent of the State.
2. The Assistant Superintendent of the State.
3. The Sub-Judge.
4. The Munsiff, Sodr
5. The Treasury Officer as Munsiff.
6. The Tahsildar, Sadr Tahsil.



Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE CODE OF CIVIL PROCEDURE, 1908 (V of 1908).

Application of section 29 of the Code to certain Courts in the Punjab States—*contd*

MANDI STATE—*contd.*

(a) *Civil Courts*—*contd.*

7. The Tahsildar, Sarkaghat Tahsil.
8. The Tahsildar, Harabagh Tahsil.
9. The Tahsildar, Chachoit Tahsil.
10. The Naib Tahsildar, Harabagh.

(b) *Revenue Courts.*

1. Superintendent.
2. Assistant Superintendent.
3. Revenue Assistant.
4. Tahsildar, Sadr.
5. Tahsildar, Sarkaghat.
6. Tahsildar, Harabagh.
7. Tahsildar, Chachoit.
8. Naib Tahsildar, Harabagh.

SIRMUR STATE.

*Civil and Revenue Courts.*

1. The Ijlas Khas.
2. The District and Additional Sessions Judge.
3. The Collector and District Magistrate.
4. The Magistrate, 1st class.
5. The Tahsildar, Rainka.
6. The Tahsildar, Pachhad.
7. The Tahsildar, Paunta.
8. <sup>1</sup>[The Tahsildar, Nahan.]

BILASPUR STATE.

1. The Wazir's Court.

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<sup>1</sup> Substituted by Notification No. 448-I, dated 22nd September, 1924, see Gazette of India, 1924, Pt. I, p. 853.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Application of section 29 of the Code to certain Courts in the Punjab States—*contd.***

**MALERKOTLA STATE.**

*(a) Civil Courts.*

1. Chief Court.
2. Saddar Adalat.
3. Munsiff's Court.
4. Sub-Judge's Court.

*(b) Revenue Courts.*

1. Collector's Court.
2. Tahsildar, Saddar's Court.
3. Tahsildar, Ahmadgarh's Court.
4. Tahsildar, Fatehgarh's Court.

**FARIDKOT STATE.**

*(a) Civil Courts.*

1. The President, Council of Administration.
2. The District Judge.
3. The Sub-Judge, 1st class.
4. The Munsiff, 2nd class.

*(b) Revenue Courts.*

1. The President, Council of Administration.
2. The Revenue Member, Council.
3. The Tahsildar.
4. The Naib Tahsildar.

**CHAMBA STATE.**

1. Prime Minister's Court, Chamba.
2. Court of the Wazir-i-Wazarat, Chamba and Bharmour, Chamba.
3. Court of the Wazir-i-Wazarat Church and Pangri, Chamba.
4. Court of the Wazir-i-Wazarat, Bhattiyat, Chamba.
5. Court of the Wakil of Dalhousie, Dalhousie.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Application of section 29 of the Code to certain Courts in the Punjab States—*concl.*

SUKET STATE.

1. Chief Court, Suket.
2. Board of Justice, Suket.
3. Revenue Dewan's Court, Suket.
4. District and Sessions Judge's Court, Suket.
5. Munsiff, 1st class Court, Suket.

LOHARU STATE.

(a) *Civil Courts.*

1. Court of the Senior Secretary.
2. Court of Nizamut.

(b) *Revenue Courts.*

1. Court of the Senior Secretary.
2. Court of the Tahsil.

[See Gazette of India, 1924, Pt. I, p. 567.]

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Execution of decrees of Civil and Revenue Courts in Cooch Behar by Courts in British India.

<sup>1</sup>No. 53-F., dated the 7th March, 1879.—Under section 434 of the Code of Civil Procedure, the Governor General in Council is pleased to declare that decrees of the Civil and Revenue Courts of Cooch Behar may be executed in British India, as if they had been made by the Courts of British India.

[See Gazette of India, 1879, Pt. I, p. 149.]

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Execution of decrees of Mysore Courts by Courts in British India.

No. 233-I. F., dated the 25th November, 1881.—Under section 434 of the Code of Civil Procedure, the Governor General in Council is pleased to declare that decrees of Civil and Revenue Courts of Mysore may be executed in British India, as if they had been made by the Courts of British India.

[See Gazette of India, 1881, Pt. I, p. 589.]

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<sup>1</sup> Was issued under Act X of 1877, was kept in force by s. 3 of Act XIV of 1882, and is now kept in force by s. 157 of Act V of 1903.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Execution of decrees of Travancore Courts by Courts in British India.**

*No. 4035, dated the 10th December, 1885.*—Under section 434 of the <sup>1</sup>Code of Civil Procedure, the Governor General in Council is pleased to declare that the decrees of the High Court of the State of Travancore, and of the Zilla Courts and the Courts of Munsiffs established in that State, may be executed in British India: Provided that, when the decree sent to a Court in British India for execution is a decree of the Court of a Munsiff, the documents mentioned in section 224 of the Code of Civil Procedure bear the countersignature of the Zilla Court to which the Court of the Munsiff is subordinate.

[*See Gazette of India, 1885, Pt. I, p. 667.*]

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**Execution of decrees of Cochin Courts by Courts in British India.**

*No. 4036-I., dated the 10th December, 1885.*—Under section 434 of the <sup>1</sup>Code of Civil Procedure, the Governor General in Council is pleased to declare that the decrees of the Appeal Court of the State of Cochin, and of the Zilla Courts and the Courts of Munsiffs established in that State, may be executed in British India: Provided that, when the decree sent to a Court in British India for execution is a decree of a Court of a Munsiff, the documents mentioned in section 224 of the Code of Civil Procedure bear the countersignature of the Judge of the Zilla Court to which the Court of the Munsiff is subordinate.

[*See Gazette of India, 1885, Pt. I, p. 667.*]

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**Execution of decrees of Chief Court of Pudukottai by Courts in British India.**

*No. 4395-I. A., dated the 8th December 1904.*—In exercise of the power conferred by section 229-B of the <sup>2</sup>Code of Civil Procedure (Act XIV of 1882), the Governor General in Council is pleased to declare that the decrees of the Chief Court of the State of Pudukottai, other than decrees of the Registrar of the Court, may be executed in British India as if they had been made by a Court in British India.

[*See Gazette of India, 1904, Pt. I, p. 917.*]

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<sup>1</sup> See footnote 1 on p. 475, *supra*.

<sup>2</sup> See footnote 2 on p. 441, *supra*.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Execution by British Indian Courts of the decrees of certain Courts in Indian States not established or continued by the Governor General in Council.

No. 2877-I. A., dated the 13th July, 1906.—In exercise of the powers conferred by section 229-B of the Code of Civil Procedure (XIV of 1882), and in supersession of the Notification of the Government of India in the Foreign Department, No. 4052-I. A., dated the 18th September, 1902, the Governor General in Council is pleased to declare that the decrees of the undermentioned Civil Courts situate in the territories of Native Princes or States in alliance with His Majesty which have not been established or continued by the authority of the Governor General in Council may be executed in British India as if they had been made by the Courts of British India.

MAHI KANTHA.

- <sup>2</sup>[Court of the Manager of Malpur.  
Court of the Manager of Varsoda.  
Court of the Sarkari Kamdar of Pethapur.  
Court of the Sarkari Kamdar of Vadagam.  
Court of the Japtidar of Valasna.  
Court of the Japtidar of Magodi.  
Court of the Japtidar of Rupal.]

RAJPIPLA.

- <sup>3</sup>[Huzur Court of Rajpipla.  
Court of the Sar-Nyayadhish of Rajpipla.  
Court of the Munsiff of Nandod.  
Court of the Munsiff of Jhagadia.]

REWA KANTHA.

- <sup>4</sup>[The Huzur Court of the Chhota Udepur State.  
The District Judge's Court, Chhota Udepur.  
The Court of the Nyayadhish, Chhota Udepur.]

<sup>1</sup> See footnote 2 on p. 441, *supra*.

<sup>2</sup> Substituted by Notification No. 107-I., dated 3rd March, 1925, see Gazette of India, 1925, Pt. I, p. 204.

<sup>3</sup> Substituted by Notification No. 2836-I. B., dated 26th August, 1920, see Gazette of India, 1920, Pt. I, p. 1633.

<sup>4</sup> Added by Notification No. 1077-I. B., dated 10th June, 1915, see Gazette of India, 1915, p. 770.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Execution by British Indian Courts of the decrees of certain Courts in Indian States not established or continued by the Governor General in Council—*contd.*

#### SACHIN (SURAT).

1\* \* \* \*

Court of the Diwan of Sachin.

<sup>2</sup>[Court of the Judicial Commissioner of Sachin.]

#### JANJIRA (KOLABA).

Court of the Sar-Nyayadhish of Janjira.

#### KOLHAPUR.

<sup>3</sup>[The Court of His Highness the Maharaja of Kolhapur.

The combined Court of the Resident, Kolhapur, and Political Agent, Southern Maratha Country States, and His Highness the Maharaja of Kolhapur.

The Court of the Chief Judge, Kolhapur.

The Court of the Sadar Amin, Kolhapur.

The Court of the Munsiff of Sirol.

The Court of the Munsiff of Gad Hinglaj.

The Court of the <sup>4</sup>[Munsiff], Katkol.

The Court of the Jaghirdar of Kagal (Junior).

The Court of the Munsiff of Kagal (Junior).

The Court of the Jaghirdar of Bavda.

The Court of the Munsiff of Bavda.

The Court of the Jaghirdar of Ichalkaranji.

The Court of the Munsiff of Ichalkaranji.

The Court of the Munsiff of Ajra.

The Court of the Jaghirdar of Vishalgad.

The Court of the Munsiff of Vishalgad.

<sup>1</sup> Entry relating to the Court of the Administrator of Sachin omitted by Notification No. 3401-I. A., dated the 24th August, 1908, *see* Gazette of India, 1908, Pt. I, p. 805.

<sup>2</sup> Inserted by Notification No. 1601-I. B., dated the 12th August, 1910, *see* Gazette of India, 1910, Pt. I, p. 770.

<sup>3</sup> Substituted by Notification No. 419-I. B., dated the 15th February, 1912, *see* Gazette of India, 1912, Pt. I, p. 136.

<sup>4</sup> Substituted for the words "Joint Officer" by Notification No. 1175-D., dated 21st February, 1917, *see* Gazette of India, 1917, Pt. I, p. 319.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Execution by British Indian Courts of the decrees of certain Courts in Indian States not established or continued by the Governor General in Council—*contd.*

#### KOLHAPUR—*contd.*

The Court of the Munsiff of Karvir.  
 The Court of the Jaghirdar of Kagal (Senior).  
 The Court of the Munsiff of Kagal (Senior).  
 The Court of the Himat Bahadur, Kolhapur.  
 The Court of the Munsiff of the Himat Bahadur, Jaghir.  
 The Court of the Munsiff of Kapshi.  
 The Court of the Munsiff of Sallashkar, Jaghir.]

#### SOUTHERN MARATHA COUNTRY.

Court of the Chief of Miraj (Senior).  
 Court of the Nyayadhis of Miraj (Senior).  
<sup>1</sup>[Court of the Munsiff of Laxmeswar.  
 Court of the Munsiff of Modnimb.]  
<sup>2</sup>[Huzur Court.  
 Court of the District Judge.  
 Court of the Munsiff of Kawtha.  
 Court of the Munsiff of Gudgeri.  
 Court of the Munsiff of Kuroli.]

<sup>3</sup>[Court of the Chief

Court of the District Judge

Court of the First Class Subordinate Judge

Court of the Second Class Subordinate Judge

Court of the Sub-Saranjamdar of Mhysal.

<sup>4</sup>[The Huzur Court of Sangli.

The Nyayadhis Court of Sangli.

The Subordinate Judge's Court, Central Divisions (Miraj Prant Taluka including Sangli and the Terdal Taluka).

The Subordinate Judge's Court, Southern Division (including the Talukas of Shahapur and Shirhatti).

The Subordinate Judge's Court, Northern Division (including the Talukas of Kuchi and Mangal Wedhe).]

} Ramdurg State.]

<sup>1</sup> Added by Notification No. 830-I. B., dated 22nd March, 1920, see Gazette of India, 1920, Pt. I, p. 574.

<sup>2</sup> Substituted by Notification No. 2459-I. B., dated 21st October, 1915, see Gazette of India, 1915, Pt. I, p. 1932.

<sup>3</sup> Added by Notification No. 553—1377-I., dated 10th April, 1923, see Gazette of India, 1923, Pt. I, p. 333.

<sup>4</sup> Inserted by Notification No. 4428-I. B., dated the 29th December, 1908, see Gazette of India, 1909, Pt. I, p. 21.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Execution by British Indian Courts of the decrees of certain Courts in Indian States not established or continued by the Governor General in Council—*contd.*

#### AKALKOT (SHOLAPUR).

Court of the Political Agent, Sholapur.  
 Court of the Subordinate Judge of Akalkot.  
 Subordinate Court of Pilio.  
 Subordinate Court of Kurla.

#### SURAT AGENCY.

Court of the Political Agent, Surat.  
 Court of the Assistant Political Agent for the Dangs.

#### SAVANTVADI.

Court of the Political Agent, Savantvadi.  
 Court of the Chief Judge, Savantvadi.  
 Court of the Nyayadhish of Savantvadi.  
 Court of the Munsiff of Kudal.

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#### SAVANUR (DHARWAR).

Court of the Political Agent, Dharwar.  
<sup>2</sup>[Surgana (Nasik).  
 Court of the Deshmukh of Surgana.]

#### BARIA.

<sup>3</sup>[Huzur Court of the Baria State.  
 Court of the Karbhari of the Baria State.  
 Court of the Naib Karbhari of the Baria State.  
 Court of the Nyayadhish of the Baria State.]

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<sup>1</sup> Entry relating to the Court of the Small Causes of Vadi omitted by Notification No. 688-I. B., dated the 3rd April, 1913, see Gazette of India, 1913, Pt. I, p. 329.

<sup>2</sup> Added by Notification No. 766-I. B., dated 13th March, 1918, see Gazette of India, 1918, Pt. I, p. 390.

<sup>3</sup> Added by Notification No. 430-I. B., dated 13th April, 1915, see Gazette of India, 1915, Pt. I, p. 586.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Execution by British Indian Courts of the decrees of certain Courts in Indian States not established or continued by the Governor General in Council—*could.***

**BALASINOR.**

<sup>1</sup>[Huzur Court, Balasinor.

Court of the District Judge and Adviser, Balasinor.

Court of the Nyayadhish, Balasinor.]

**SUNTH.**

<sup>2</sup>[Huzur Court of the Sunth State.

Court of the Karbhari of the Sunth State.

Court of the Nyayadhish of the Sunth State.]

[See Gazette of India, 1906, Pt. I, p. 472.]

**Execution in British India of decrees of Civil Courts in Baroda.**

*No. 2684-I. A., dated the 3rd July, 1908.*—In exercise of the powers conferred by section 229-B of the "Code of the Civil Procedure (Act XIV of 1882), the Governor General in Council is pleased to declare that the decree of the Civil Courts situate in the territories of His Highness the Gaekwar of Baroda, which have not been established or continued by the authority of the Governor General in Council, may be executed in British India as if they had been made by the Courts of British India.

[See Gazette of India, 1908, Pt. I, p. 591.]

**Decrees of Civil and Revenue Courts in the Benares State to be executed by British Courts.**

*No. 1341-I. B., dated the 30th June, 1911.*—In exercise of the powers conferred by section 44 of the Code of Civil Procedure, 1908 (V of 1908), the Governor General in Council is pleased to declare that the decrees of the Civil and Revenue Courts named in the Schedule to this notification situate in the territories of His Highness the Maharaja of Benares, which have not been established or continued by the authority of the Governor General in Council, may be executed in British India as if they had been made by the Courts of British India.

<sup>1</sup> Substituted by Notification No. 1384-D., dated 28th March, 1916, see Gazette of India, 1916, Pt. I, p. 382.

<sup>2</sup> See footnote 3 on p. 480, *supra*.

<sup>3</sup> See footnote 2 on p. 441, *supra*.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Decrees of Civil and Revenue Courts in the Benares State to be executed by British Courts—*contd.***

*Schedule.*

1. Chief Judge's Court, Ramnagar.
2. Collector's Court, Korh.
3. Collector's Court, Chakia.
4. Judge's Court, Korh.
5. Civil Judge's Court, Chakia.
6. Assistant Collector's Court, Korh.
7. Assistant Collector's Court, Chakia.

[See Gazette of India, 1911, Pt. I, p. 490.]

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**Decrees of certain Courts in Kashmir to be executed by British Courts.**

*No. 3209-I. B., dated the 3rd July, 1919.*—In exercise of the powers conferred by section 44 of the Code of Civil Procedure, 1908 (V of 1908), and in supersession of the Notification of the Government of India in the Foreign and Political Department, No. 538-I. B., dated the 14th April, 1916, the Governor General in Council is pleased to declare that the decrees of the Courts named in the Schedule hereto annexed, situate in the territories of His Highness the Maharaja of Kashmir, which have not been established or continued by the authority of the Governor General in Council, may be executed in British India as if they had been made by the Courts of British India.

*Schedule.*

- Court of His Highness the Maharaja.
- Court of the Judge, High Court.
- Courts of the Chief Judges, Jammu and Kashmir.
- Courts of the Sub-Judges, Jammu, Mirpur, Kotli, Udhampur, Srinagar and Muzafferabad.
- Court of the Judge, Small Cause Court, Srinagar.
- Courts of the Wazir Wazarats, Leh and Gilgit.
- Courts of the City Munsiffs, Srinagar, Anantnag, Shopayan, Bara-mulla, Jammu, Srianbirsinghpura, Sambha, Kathua, Rajori, Ramnagar, Riiasi, Doda Kishtwar, Mirpur and Bhimber.

[See Gazette of India, 1919, Pt. I, p. 1324.]

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

#### Decrees of the Chief Court of Sikkim to be executed by British Courts.

*No. 2855-I. B., dated the 26th August, 1920.*—In exercise of the powers conferred by section 44 of the Code of Civil Procedure, 1908 (V of 1908), the Governor General in Council is pleased to declare that the decrees, made in exercise of its civil jurisdiction, by the Chief Court of Sikkim, situate in the territory of His Highness the Maharaja of Sikkim, not being a Court established or continued by the authority of the Governor General in Council, may be executed in British India as if they had been made by a Court of British India.

[See Gazette of India, 1920, Pt. I, p. 1634.]

#### Declaring the provisions of section 45 of the Code to be applicable to certain Native State Courts which have power to serve summonses issued by British Indian Courts.

*No. 786-I. B., dated the 9th April, 1913.*—The Governor General in Council is pleased to notify that the Courts specified in the Schedule hereto annexed which have been established or continued by the Governor General in Council, have power to serve summonses issued by Courts in British India under the Code of Civil Procedure, 1908 (V of 1908).

The Governor General in Council is further pleased to declare that the provisions of section 45 of the said Code apply to the said Courts.

The Notifications of the Government of India in the Foreign Department, Nos. 1361-I. and 1362-I., dated the 29th March, 1889, as subsequently amended, are hereby cancelled.

#### *Schedule.*

Agency.	Courts.
Baluchistan . . . . .	All Civil Courts in the territories administered by the Agent to the Governor General in Baluchistan as such Agent.
Baroda . . . . .	The District Court and the Court of Small Causes in the Cantonment of Baroda. The District Courts and the Subordinate Civil Courts of the sections in the Baroda State of the— Ahmedabad-Parantij Railway, Anand-Godhra Branch { of the Bom- Baroda-Godhra Chord { bay, Central India Railway,

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Declaring the provisions of section 45 of the Code to be applicable to certain Native State Courts which have power to serve summonses issued by British Indian Courts—*contd.*

*Schedule—contd.*

Agency.	Courts.
Baroda— <i>contd.</i> . . . . .	Mehsana-Viramgam Railway, Petlad-Cambay Railway, Rajputana-Malwa Railway and Tapti-Valley Railway.
Central India . . . . .	The District Courts and the Courts of Small Causes in the Cantonments of Mhow, Nimach and Nowgong, the Indoro Residency Bazars and the Civil Lines of Nowgong. The District Court, the Civil Court and the Court of Small Causes in the Cantonment of Sehora. The Court of the Assistant to the Resident at Gwalior at Guna. The District Courts and the Courts of Small Causes of the sections in Central India of the— Bhopal-Itarsi Railway, Bhopal-Ujjain Railway, Bina-Guna-Baran Railway, Great Indian Peninsula Railway, Godhra-Ratlam-Nagda Railway, Nagda-Muttra Railway, Nagda-Ujjain Railway and Rajputana-Malwa Railway.
Hyderabad . . . . .	The District Court and the Court of Small Causes in the Cantonments of Secunderabad and Aurangabad, the Hyderabad Residency Bazars and the sections in the Hyderabad State of— His Highness the Nizam's Guaranteed State Railway system, the South East main line of the Great Indian Peninsula Railway, and the broad gauge North West line of the Madras and Southern Maratha Railway. The District Court and the Subordinate Civil Courts of the sections in the Hyderabad State of the— Barsi Light Railway, Dhond Manmad Branch of the Great Indian Peninsula Railway and Metre gauge main line of the Madras and Southern Maratha Railway.
Kashmir . . . . .	The Courts of the Assistants to the Resident in Kashmir.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Declaring the provisions of section 45 of the Code to be applicable to certain Native State Courts which have power to serve summonses issued by British Indian Courts—*contd.*

The Governor General in Council is further pleased to declare that the provisions of section 45 of the said Code apply to the said Courts, except Courts of Thanadars.

The Notification of the Government of India in the Foreign Department, Nos. 4049-I. A and 4050-I. A, dated the 18th September 1902, are hereby cancelled.

### *Schedule.*

Agency.	Courts.
Dharwar . . . . .	The District Court and the Subordinate Civil Courts of the section of the Madras and Southern Maratha Railway in the Savanur Stato.
Kaira . . . . .	The District Court and the Subordinate Civil Courts of the section of the Potlad-Cambay Railway in the Cambay Stato.
Kathiawar . . . . .	<p>The Courts of the Political Agents and of the Deputy Assistant Political Agents in the Gohilwar, Halar, Jhalawar and Sorath Prants.</p> <p>The Court of Small Causes, Rajkot Civil Station.</p> <p>The Courts of the Thanadars of Babra, Bhoika, Chok Chotila, Dasada, Dhrafa, Lakhapadar, Lodhika, Paliad, Songadh and Wadhwan District.</p> <p>The District Court and the Subordinate Civil Courts of the sections of the Bombay, Baroda and Central India Railway in Kathiawar, of the Dhrangadhra Railway, of the Dhoraji-Porbandar section of the Gondal Porbandar Railway, and of the Jamnagar, Jetalsar-Rajkot and Morvi Railways, respectively.</p>
Kolhapur and Southern Maratha Country.	<p>The Court of the Resident in Kolhapur and Political Agent for the Southern Maratha Country States.</p> <p>[The Court of the Assistant Resident, Kolhapur.]<sup>1</sup></p>

<sup>1</sup> Substituted by Notification No. 3287-I. B., dated 3rd October, 1913, *see* Gazette of India, 1913, Pt. I, p. 905.

# Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Declaring the provisions of section 45 of the Code to be applicable to certain Native State Courts which have power to serve summonses issued by British Indian Courts—*contd.*

### Schedule—*contd.*

Agency.	Courts.
Kolhapur and Southern Maratha Country— <i>contd.</i>	The District Courts and the Subordinate Civil Courts of the sections of the Barsi Light Railway, the Great Indian Peninsula Railway, the Kolhapur Railway, the Madras and Southern Maratha Railway and the Sangli Railway, respectively, in Kolhapur and the Southern Maratha Country.
Mahi Kantha . . . . .	The Courts of the Political Agent, the Assistant Political Agent, the District Deputy Assistant Political Agent and the Huzur Deputy Assistant Political Agent in the Mahi Kantha. The Courts of the Thanadars of the Bavisizilla, Gadhwara, Katosan, Sabar Kantha and Vatrak Kantha. <sup>1</sup> ["The Court of the Deputy Thanadar at Mahisa."] The District Courts and the Subordinate Civil Courts of the sections of the Ahmedabad-Parantij and the Mehsana Railways, respectively, in the Mahi Kantha.
Palanpur . . . . .	The Courts of the Political Agent, the Assistant Political Agent, the District Deputy Assistant Political Agent and the Huzur Deputy Assistant Political Agent in Palanpur. <sup>2</sup> ["The Courts of the Thanadars of Deodar, Kankrej, Santalpur and Varahi."] The District Court and the Subordinate Civil Court of the Palanpur-Deesa Railway and of the section of the Rajputana-Malwa Railway in the Palanpur State.
Rewa Kantha . . . . .	The Courts of the Political Agent, the Assistant Political Agent, the District Deputy Assistant Political Agent and the Huzur Deputy Assistant Political Agent in the Rewa Kantha.

<sup>1</sup> Substituted by Notification No. 1671-I. B., dated 10th June, 1920, *see* Gazette of India, 1920, Pt. I, p. 1160.  
<sup>2</sup> Substituted by Notification No. 2653-I. B., dated 29th May, 1919, *see* Gazette of India, 1919, Pt. I, p. 1105.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*concl'd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V of 1908).**

Declaring the provisions of section 45 of the Code to be applicable to certain Native State Courts which have power to serve summonses issued by British Indian Courts—*concl'd.*

*Schedule—concl'd.*

Agency.	Courts.
Rewa Kantha— <i>concl'd.</i> . . . . .	The Courts of the Thanadars of Jambughoda, Pandu and Saukheda. The District Courts and the Subordinate Civil Courts of the sections of the Bombay, Baroda and Central India, Godhra-Lunavada, Godhra-Ratlam-Nagda and Rajpipla Railways in the Rowa Kantha.
Satara . . . . .	The District Court and the Subordinate Civil Courts of the sections of the Madras and Southern Maratha Railway in the States of Aundh and Phaltan.
Savantvadi . . . . .	The Court of the Political Agent in Savantvadi.
Sukkur . . . . .	The District Court and the Subordinate Civil Courts of the section of the North Western Railway in the Khairpur State.
Surat . . . . .	The District Court and the Subordinate Civil Courts of the sections of the Billimora-Kalamba and Tapti Valley Railways in the Bansda and Sachin States.

[See Gazette of India, 1913, Pt. I, p. 388.]

*No. 788-I. B., dated the 9th April, 1913.*—The Governor General is pleased to notify that the Courts specified in the Schedule hereto annexed, which have been established or continued by the Governor General in Council, have power to serve summonses issued by Courts in British India under the Code of Civil Procedure, 1908 (V of 1908).

The Governor General in Council is further pleased to notify that the provisions of section 45 of the said Code apply to the said Courts.

*Schedule.*

1. The Court of the Political Agent at Manipur.
2. All Civil Courts in Berar.

[See Gazette of India, 1913, Pt. I, p. 890.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.**

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

Declaring that section 45 of the Code applies to the Court of the Political Officer in Sikkim.

*No. 789-I. B., dated the 9th April, 1913.*—The Governor General in Council is pleased to declare that the provisions of section 45 of the Code of Civil Procedure, 1908 (V of 1908), apply to the Court of the Political Officer in Sikkim.

[See Gazette of India, 1913, Pt. I, p. 390.]

**Exemption from attachment or sale of stipends and gratuities of certain Family Pension Funds.**

*No. 1, dated the 1st January, 1909.*—In pursuance of section 60, sub-section (1), clause (g) of the Code of Civil Procedure, 1908 (Act V of 1908), the Governor General in Council is pleased to declare that the stipends and gratuities payable by the undermentioned Family Pension Funds shall not be liable to attachment or sale in execution of a decree of a Court of law:—

- (1) The Bombay Uncovenanted Service Family Pension Fund.
- (2) The Bengal Uncovenanted Service Family Pension Fund.
- (3) The Bengal and Madras Service Family Pension Fund.

[See Gazette of India, 1909, Pt. I, p. 5.]

**Delegation of Functions conferred on Governor General in Council by section 433 (1), (2) and (3) of the old Code.**

*No. 1369-I., dated the 29th March, 1889.*—Under section 433, sub-section (4), of the Code of Civil Procedure, the Governor General in Council is pleased to authorise each of the Local Governments specified in the first column of the following table, and any of its Secretaries, to exercise with respect to the Princes and Chiefs specified by their titular names against such Government in the second column of the table, the functions assigned by sub-sections (1), (2) and (3) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively.

Local Government.	Princes and Chiefs.
Madras . . . . .	<div style="border-left: 1px solid black; border-right: 1px solid black; padding-left: 5px;">           His Highness the Maharaja of Travancore.            His Highness the Raja of Cochin.            His Highness the Raja of Pudukota.            The Nawab of Banganapalle.            The Raja of Sandur.         </div>

<sup>1</sup> See footnote 2 on p. 475, *supra*.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Delegation of Functions conferred on Governor General in Council by section 433 (1), (2) and (3) of the old Code—*contd.***

Local Government.	Princes and Chiefs.
Bengal . . . . .	<p style="text-align: center;">* * * * *</p>
	His Highness the Maharaja of Cooch Behar.
	<p style="text-align: center;">* * * * *</p>
	<sup>2</sup> [The Maharaja of Patna.
	The Raja of Karond or Kalahandi.
	The Raja of Sonpur.
	The Raja of Bamra.
	The Raja of Rehrakhole.]
	The Maharaja of Keunjbar, Tributary Mehals, Orissa.
	The Raja of Nilgiri, Tributary Mehals, Orissa.
	The Raja of Bod, Tributary Mehals, Orissa.
	The Raja of Tigaria, Tributary Mehals, Orissa.
	The Raja of Ranpur, Tributary Mehals, Orissa.
	The Raja of Nyagarh, Tributary Mehals, Orissa.
	The Raja of Khandpara, Tributary Mehals, Orissa.
	The Raja of Athgarh, Tributary Mehals, Orissa.
	The Raja of Daspalla, Tributary Mehals, Orissa.
	The Raja of Talcher, Tributary Mehals, Orissa.

<sup>1</sup> The entries relating to the Deb Raja of Bhutan, and the Maharajas of Sikkim and Hill Tipperah were omitted by Notification No. 3445-I. B., dated the 17th August, 1906—Gazette of India, 1906, Pt. I, p. 537.

<sup>2</sup> These entries were inserted by *ibid.*

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Delegation of Functions conferred on Governor General in Council by section 433 (1), (2) and (3) of the old Code—*contd.***

Local Government.	Princes and Chiefs.
Bengal— <i>contd.</i> . . . . .	The Raja of Athmallik, Tributary Mehals, Orissa.
	The Raja of Hindol, Tributary Mehals, Orissa.
	The Raja of Pal Lahara, Tributary, Mehals, Orissa.
	The Raja of Baramba, Tributary Mehals, Orissa.
	The Raja of Dhenkanal, Tributary Mehals, Orissa.
	The Raja of Moharbhaj, Tributary Mehals, Orissa.
	The Raja of Narsinghpur, Tributary Mehals, Orissa.
	* * * *
	The Raja of Bonai, *
	The Raja of Gangpur, *
	* * * *
North-Western Provinces . . . . .	The Raja of Seraikella, Singbhoom.
	The Thakur of Kharsawan, Singbhoom.
	His Highness the Nawab of Rampur.
	His Highness the Raja of Tehri.
Punjab . . . . .	His Highness the Maharaja of Patiala.
	His Highness the Nawab of Bahawalpur.
	His Highness the Raja of Jhind.
	His Highness the Raja of Nabha.
	His Highness the Raja of Kapurthala.

<sup>1</sup> The entries relating to the Rajas of Sirgujah, Jashpur, Korea and Udaipur and the Chief of Chang Bakhr were omitted by Notification No. 3445-I. B., dated the 17th August, 1906—Gazette of India, 1906, Pt. I, p. 587.

<sup>2</sup> The words "Tributary Mehals, Chota Nagpur" after Bonai and Gangpur were omitted by the notification referred to in the first note.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Delegation of Functions conferred on Governor General in Council by section 433 (1), (2) and (3) of the old Code—*contd.*

Local Government.	Princes and Chiefs.
Punjab— <i>contd.</i> . . . . .	The Raja of Mandi.
	The Raja of Nahan.
	The Raja of Bilaspur.
	The Raja of Bashahr.
	The Raja of Nalagarh.
	The Raja of Keonthal.
	The Nawab of Maler Kotla.
	The Raja of Faridkot.
	The Raja of Chamba.
	The Raja of Suket.
	The Chief of Kalsia.
	The Nawab of Pataudi.
	The Nawab of Loharu.
	The Nawab of Dujana.
	The Raja of Baghal.
	The Rana of Baghat.
	The Rana of Jubbal.
	The Rana of Kumharsain
	The Rana of Bhajji.
	The Thakur of Mailog
	The Rana of Balsan
	The Rana of Dhami.
	The Rana of Kuthar.
	The Rana of Kunihar.
	The Rana of Mangal
	The Thakur of Bija.
	The Rana of Darkuti.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CODE OF CIVIL PROCEDURE, 1908 (V of 1908).

Delegation of Functions conferred on Governor General in Council by section 433 (1), (2) and (3) of the old Code—*concl'd.*

Local Government.	Princes and Chiefs.
Punjab— <i>concl'd.</i> . . . .	The Thakur of Tiroch. The Chief of Sangri. The Rana of Koti. <sup>1</sup> [The Maharaja of Sirgajah. The Raja of Jashpur. The Raja of Korea. The Raja of Udaipur. The Chief of Chang Bakhr.] The Raja of Bastar. * * * * * The Raja of Sarangarh. The Raja of Raigarh. The Raja of Kankar. The Raja of Khairagarh. The Raja of Nandgaon. The Chief to Kondka or Chhuikadan. The Thakur of Kawarda. The Raja of Sakti. The Raja of Makrai. His Highness the Maharaja of Manipur. <sup>4</sup> [His Highness the Raja of Hill Tipperah.]
Central Provinces . . . .	
<sup>3</sup> [Eastern Bengal and Assam] . . .	

[See Gazette of India, 1889, Pt. I, p. 187.]

<sup>1</sup> These entries were inserted by Notification No. 3445-I. B., dated the 17th August, 1906, see Gazette of India, 1906, Pt. I, p. 537.

<sup>2</sup> The entries relating to the Maharaja of Patna and the Rajas of Karond or Kalahandi, Sonpur, Bamra and Rehrakhola were omitted by *ibid.*

<sup>3</sup> Substituted for "Assam" by Notification No. 3445-I. B., dated the 17th August, 1906, Gazette of India, 1906, Pt. I, p. 537, but should now be read as Assam.

<sup>4</sup> Added by *ibid.*

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Authorising the Government of Bombay and any of the Secretaries to that Government to exercise with respect to the Ruling Princes and Chiefs mentioned the functions assigned by the Act to the Governor General in Council and a Secretary to the Government of India.

*No. 583-I. B., dated the 7th March, 1921.*—In exercise of the powers conferred by sub-section (4) of section 86 of the Code of Civil Procedure, 1908 (Act V of 1908), and in supersession of the Notification of the Government of India in the Foreign Department, No. 1503-I., dated the 8th May, 1896, the Governor General in Council is pleased to authorise the Government of Bombay and any of the Secretaries to that Government to exercise with respect to the Ruling Princes and Chiefs mentioned in the schedule hereto annexed the functions assigned by sub-sections (1), (2) and (3) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively:—

#### KATHIAWAR AGENCY.

His Highness the Nawab of Junagadh.  
 His Highness the Maharaja of Nawanagar.  
 His Highness the Maharaja of Bhavnagar.  
 His Highness the Maharaja of Porbandar.  
 His Highness the Maharaja of Dhrangadra.  
 His Highness the Thakor Saheb of Morvi.  
 His Highness the Thakor Saheb of Gondal.  
 His Highness the Raj Saheb of Wankaner.  
 The Thakor Saheb of Palitana.  
 The Thakor Saheb of Dhrol.  
 The Thakor Saheb of Limbdi.  
 The Thakor Saheb of Rajkot.  
 The Thakor Saheb of Wadhwan.  
 The Thakor of Lakhtar.  
 The Thakor Saheb of Sayla.  
 The Thakor of Chuda.  
 The Thakor of Vala.  
 The Chief of Jasdan.  
 The Chief of Manavadar.  
 The Chief of Thana Devlia.  
 The Chief of Vadia.  
 The Thakor of Lathi.  
 The Thakor of Muli.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Authorising the Government of Bombay and any of the Secretaries to that Government to exercise with respect to the Ruling Princes and Chiefs mentioned the functions assigned by the Act to the Governor General in Council and a Secretary to the Government of India—*contd.***

**KATHIAWAR AGENCY—*contd.***

The Thakor of Bajana.

The Thakor of Virpur.

The Thakor of Malia.

The Thakor of Kotda-Sangani.

Vala Shri Mulu Surag, Shareholder of Jetpur.

Vala Shri Kanthad Naja, Shareholder of Jetpur-Bilkha.

The Chief of Patdi.

The Khan Saheb Malek Shri Hussain Mahommedkhan Kamaludinkhan of Vanod.

Azam Shrimant Ramchandrarao *alias* Vijaysinhji-Vithalrao of Vithalgadh.

Malek Shri Jainkhanji of Jainabad.

Jhala Chandrasinhji of Rajpur.

Vala Bhabhabhai Unad of Jetpur.

Vala Rawat Ram of Jetpur-Bilkha.

The Shareholders of Vasavad :—

1. Desai Ravishanker.
2. Desai Prabhashanker Rajaram.
3. Desai Jesukhlal and Bhupatrai.
4. Desai Sarabhai Sanker Prasad.
5. Desai Ganeshbhai Keshavlal.
6. Desai Amarji Govindji.
7. Desai Kaniyalal Bapuji.
8. Desai Fulshanker Pranshanker.

Khan Shri Hussainyaverkhanji of Sardargadh.

Khan Shri Sherbulandkhanji of Bantwa.

Vala Vajsur Valera of Bagasra.

Vala Bhan Desa of Barwala.

Vala Ram Harsur of Bagasra.

Jadeja Mohobatsinhji Bhojrajji of Jalia-Devani.

Jadeja Pratapsinhji of Kotharia.

Jadeja Dipsinhji of Gavrivad.

Jadeja Ladhubha of Pal.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Authorising the Government of Bombay and any of the Secretaries to that Government to exercise with respect to the Ruling Princes and Chiefs mentioned the functions assigned by the Act to the Governor General in Council and a Secretary to the Government of India—*contd.***

**KATHIAWAR AGENCY—*contd.***

Jadeja Shivsindhji of Gadlika.  
 Jadeja Raghavsindhji Narsindhji of Mengni.  
 Jadeja Mulvaji Dansindhji of Lodhika.  
 Jadeja Vijaysindhji Ratansindhji of Lodhika.  
 Jadeja Prabhatsindhji Bhupatsindhji of Shahpur.  
 Desai Gopaldas Ambavidas of Rai Sankli.  
 Vala Jetsur Punja of Jetpur.  
 Kotila Unad Bhan of Dedan.  
 Kotila Jaitmal Champraj of Dedan.  
 Vala Champraj Jasa of Jetpur.  
 Vala Unad Rana of Jetpur.  
 Vala Raning Bhima of Khijadia.  
 Vala Amra Moka of Mendarda.  
 Vala Amra Kala of Luni.  
 Vala Manasia Nag of Jetpur.  
 Majmudar Dinkarra Jasvantrai of Vichhavad.  
 Narsinhprasad Hariprasad of Vichhavad.  
 Majmudar Anandrai Bapubhai of Kuba.  
 Valas Ram Mulu and Vira Mulu of Bagasra.  
 Vala Giga Hipa of Sanala.  
 Vala Bhaya Nathu of Bhayawadar.  
 Vala Rukhad Loma of Nawania.  
 Vala Desa Nag of Jetpur.  
 Jadeja Lakhaji Ashaji of Rajpura.  
 Jadeja Balsindhji Pratapsindhji of Bhadwa.  
 Khachar Surag Sadul of Chotila.  
 Khachar Desa Bhoj of Anandpur.  
 Khachar Dada Jiwa of Anandpur.  
 Khachar Nana Jiwa of Anandpur.  
 Talukdars of Kotda-Pitha:—

1. Vala Selar Loma.
2. Vala Deva Rukhad.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

Authorising the Government of Bombay and any of the Secretaries to that Government to exercise with respect to the Ruling Princes and Chiefs mentioned the functions assigned by the Act to the Governor General in Council and a Secretary to the Government of India—*contd.*

**KATHIAWAR AGENCY—*concl'd.***

3. Vala Bhoj Desa.
4. Vala Lakha Meram.
5. Laxman Amra.
6. Vala Harsur Surag.

Khachar Ghela Rukhad of Vankia.

Jadeja Bawaji Veraji of Vadali.

Khachar Luna Dewait of Sitapur (Kariana).

[Jadeja Sursinhji Balsinhji of Khirasra.]<sup>1</sup>

**KOLHAPUR AGENCY.**

His Highness the Maharaja of Kolhapur.

<sup>1</sup>[The Pant Pratinidhi of Vishalgad.

The Pant Amatya of Bavda.

The Sarjerao Vajarat Ma-ab of Kagal (Senior).

The Senapati of Kapshi.

The Pant Sachiv, Jahagirdar of Ichalkaranji.

The Sarjerao of Kagal (Junior).

The Sar-Lashkar Bahadur of Kolhapur.]

The Sena Khaskhel of Torgal.

The Himat Bahadur of Kolhapur.

**SOUTHERN MARATHA COUNTRY AGENCY.**

The Chief of Sangli.

The Chief of Miraj (Senior).

The Chief of Miraj (Junior).

The Chief of Kurundvad (Senior).

The Chief of Kurundvad (Junior) (1).

The Chief of Kurundvad (Junior) (2).

The Chief of Jamkhandi.

The Chief of Mudhol.

The Chief of Ramdurg.

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<sup>1</sup> Inserted and substituted by Notification No. 2364-I. B., dated the 15th August, 1921, see Gazette of India, 1921, Pt. I, p. 1125.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

Authorising the Government of Bombay and any of the Secretaries to that Government to exercise with respect to the Ruling Princes and Chiefs mentioned the functions assigned by the Act to the Governor General in Council and a Secretary to the Government of India—*contd.*

**CUTCH AGENCY.**

His Highness the Maharao of Cutch.  
 Jadeja Virsalji of Roha.  
 Jadeja Pratapsingji of Chitrod.  
 Waghela Meghrajji Lakhaji of Palanswa.  
 Jadeja Godji of Wandhia.  
 Jadeja Rawaji Lakhaji of Adesar.  
 Jadeja Hamirji of Vinjan.  
 Rana Sardarsingji Meramanji of Gedi.  
 Jadeja Noghanji of Nagrecha.  
 Jadeja Bhupatsangji of Vijpasar.  
 Jadeja Sivsangji Tejmalji of Kumbhardi.  
 Jadeja Govindji Sujaji of Kera.  
 Jadeja Lakhiarji of Bambhadai.  
 Jadeja Noghanji Godji of Nara.  
 Jadeja Pratapji Ratanji of Jadodar.

**REWA KANTHA AGENCY.**

His Highness the Maharaja of Rajpipla.  
 The Raja of Chhota Udepur.  
 His Highness the Raja of Bariya.  
 His Highness the Raja of Lunawada.  
 The Nawab of Balasinor.  
 The Raja of Sunth.  
 The Thakor of Kadana.  
 The Thakor of Bhadarwa.  
 The Thakor of Sanjeli.  
 The Thakor of Umetha.  
 The Thakor of Jambughadu.  
 The Rana of Mandwa.  
 The Thakor of Vajiria.  
 The Thakor of Gad Boriad.  
 The Thakor of Shanor.

Part II.—General Rules and Orders made under General  
Acts of the Governor General in Council—*contd.*

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THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Authorising the Government of Bombay and any of the Secretaries to that Government to exercise with respect to the Ruling Princes and Chiefs mentioned the functions assigned by the Act to the Governor General in Council and a Secretary to the Government of India—*contd.*

REWA KANTHA AGENCY—*contd.*

The Thakor of Nasvadi.  
The Thakor of Uchad.  
The Thakor of Agar.  
The Thakor of Vanmala.  
The Thakor of Sihora.  
The Thakor of Chhaliar.

MAHI KANTHA AGENCY.

His Highness the Maharaja of Idar.

The Rao of Pol.  
The Maharana of Danta.  
The Raolji of Malpur.  
The Raolji of Mansa.  
The Thakor of Mohanpur.  
The Thakor of Katosan.  
The Thakor of Ilol.  
The Thakor of Varsoda.  
The Thakor of Pethapur.  
The Thakor of Ranasan.  
The Thakor of Punadra.  
The Thakor of Khadal.  
The Thakor of Ghodasar.  
The Thakor of Amivara.  
The Thakor of Sudasna.  
The Thakor of Valasna.  
The Thakor of Dabha.  
The Thakor of Vasna.  
The Thakor of Rupal.  
The Thakor of Dadhaliya.  
The Thakor of Magodi.  
The Thakor of Vadagam.  
The Thakor of Sathamba.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Authorising the Government of Bombay and any of the Secretaries to that Government to exercise with respect to the Ruling Princes and Chiefs mentioned the functions assigned by the Act to the Governor General in Council and a Secretary to the Government of India—*contd.*

MAHI KANTHA AGENCY—*contd.*

The Thakor of Ramas.

The Thakor of Khedwada.

The Thakor of Hapa.

The Thakor of Satlasna.

The Thakor of Gabat.

<sup>1</sup>[Thakor Kubersinhji of Kadoli.]

PALANPUR AGENCY.

His Highness the Nawab of Palanpur.

His Highness the Nawab of Radhanpur.

The Thakor of Tharad.

The Rana of Wao.

Malek Jorawarkhan of Warahi.

Thakor Khanji of Diodar.

Thakor Chimansing of Diodar.

Thakor Himatsing of Diodar.

THE SHAREHOLDERS OF THARA.

Thakor Godadsing.

Thakor Juwasing.

Thakor Madarsing.

Thakor Jaswantsing.

Thakor Gambhirsing Bhagwansing.

Thakor Abheraj Prathiraj.

Thakor Rewaji Lakhaji of Santalpur.

Malek Muridkhanji Rawaji of Warahi.

THE SHAREHOLDERS OF TERWADA.

Thakor Sarjakhan Sherkhan.

Thakor Nasaratkhan Sherkhan.

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<sup>1</sup> Added by Notification No. 2002-I. B., dated the 6th July, 1921, *see* Gazette of India, 1921, Pt. I, p. 930.

Part II.—General Rules and Orders made under General  
Acts of the Governor General in Council—*contd.*

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THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Authorising the Government of Bombay and any of the Secretaries to that Government to exercise with respect to the Ruling Princes and Chiefs mentioned the functions assigned by the Act to the Governor General in Council and a Secretary to the Government of India—*contd.*

THE SHAREHOLDERS OF TERWADA—*contd.*

Thakor Salimkhan Achukhan.  
Thakor Dariakhan Nathukhan.  
Thakor Nasibkhan Nathukhan.  
Thakor Hematkhan Sartankhan.  
Thakor Majatkhan Sartankhan.  
Thakor Mastikhan Sartankhan.  
Thakor Ratansing Waghjikhan.  
Thakor Mobatkhan Waghjikhan.  
Thakor Mosamkhan Padkhan.  
Thakor Patekhan Metabkhan.  
Thakor Nadealli Umarkhan.  
Thakor Sahebkhani Umarkhan.  
Thakor Pirojkhan Umarkhan.

THE SHAREHOLDERS OF SUIGAM.

Thakor Samatsing Bhupatsing.  
Thakor Vakhatsing Narsingji.  
Thakor Parbatsing Jaswantsing.  
Thakor Jethuji Jaswantsing.  
Thakor Bapubha Sardarsing.  
Thakor Madhavsing Narsangji.  
Thakor Sarupsing Dolubha.  
Thakor Rupsing Dolubha.  
Thakor Khangarji Ramsing.  
Thakor Gambhirsing Nathaji.  
Thakor Surajmal Parathiraj.  
Thakor Kanji Meruji.  
Thakor Gambhirsing Alji.  
Thakor Harising Lagdhirji.  
Thakor Pachanji Bhojrajji.  
Thakor Hathiji Bhojrajji.  
Thakor Nawaji Naranji.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Authorising the Government of Bombay and any of the Secretaries to that Government to exercise with respect to the Ruling Princes and Chiefs mentioned the functions assigned by the Act to the Governor General in Council and a Secretary to the Government of India—*contd.*

THE SHAREHOLDERS OF SUIGAM—*contd.*

Thakor Chatarsing Prathiraj.

Thakor Harbhamji Mobatsing.

SURAT AGENCY.

His Highness the Nawab of Sachin.

His Highness the Raja of Dharampur.

The Raja of Bansda.

The Chief of Gadhi.

The Chief of Derbhavti.

The Chief of Amala.

The Chief of Vasurna.

The Chief of Pimpri.

The Chief of Kirli.

The Chief of Shivbara.

The Chief of Palasvahir.

The Chief of Vadhyawan.

The Chief of Jhari Gharkhadi.

The Chief of Bilbari.

The Chief of Pimpladevi.

The Chief of Avchar.

The Chief of Chinchli Gadad.

KAIRA AGENCY.

His Highness the Nawab of Cambay.

THANA AGENCY.

The Raja of Jawhar.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Authorising the Government of Bombay and any of the Secretaries to that Government to exercise with respect to the Ruling Princes and Chiefs mentioned the functions assigned by the Act to the Governor General in Council and a Secretary to the Government of India—*concl.*

POONA AGENCY.

His Highness the Pant Sachiv of Bhor.

SATARA AGENCY.

The Pant Pratinidhi of Aundh.

The Chief of Phaltan.

SHOLAPUR AGENCY.

The Raja Saheb of Akalkot.

BELGAUM AGENCY.

The Sar Desai of Savantvadi.

KOLABA AGENCY.

His Highness the Nawab of Janjira and Jaffrabad.

DHARWAR AGENCY.

The Nawab of Savanur.

BIJAPUR AGENCY.

The Chief of Jath.

NASIK AGENCY.

The Deshmukh of Surgana.

SUKKUR AGENCY.

His Highness the Mir of Khairpur.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Summonses issued by Courts in British India to be served by any Civil Court in the Baroda State.

*No. 1568-I. B., dated the 10th August, 1909.*—In exercise of the powers conferred by rule 26 (b), Order V of the Code of Civil Procedure, 1908 (V of 1908), the Governor General in Council is pleased to declare that summonses issued by Courts in British India under that Code may be served by any Civil Court of the Baroda State.

[See Gazette of India, 1909, Pt. I, p. 647.]

Summonses issued by British Courts to be served by Courts in certain Native States.

*No. 1345-I. B., dated the 30th June, 1911.*—In exercise of the powers conferred by rule 26 (b) Order V of the Code of Civil Procedure, 1908 (V of 1908), the Governor General in Council is pleased to declare that summonses issued by the Courts in British India under that Code may be served by any Civil Court situate within the territories of the States named in the Schedule to this Notification.

#### *Schedule.*

Jaipur.	Jaisalmer.
Kishangarh.	Bharatpur.
Mewar.	Karauli.
Dungarpur.	Dholpur.
Banswara.	Bundi.
Partabgarh.	Shahpura.
Jodhpur.	Tonk.
Bikaner.	Alwar.
Sirohi.	Kotah.

[See Gazette of India, 1911, Pt. I, p. 492.]

Officers to whom notices of orders attaching the salary or allowances of certain Officers are to be sent.

*No. 450, dated the 27th March, 1925.*—In pursuance of Order XXI, rule 48, sub-rule (1) of the rules in the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908), and in supersession of all previous notifications on the subject issued by the Government of India in the Army Department the Governor General in Council is pleased to direct that notices of orders attaching the salaries or allowances of military Officers (not being officers subject to the Indian Army Act, 1911), Air Force Officers, Indian Marine commissioned or gazetted officers, civil

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain Officers are to be sent—*contd.*

gazetted officers, or civil non-gazetted officers employed in the Army Department and in the services or offices under its control shall be sent to the officers specified in each case in column 2 of the Schedule hereto-annexed.

#### *Schedule.*

Department, service or office in which the judgment-debtor is employed.	Officer to whom notice should be sent.
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#### *Army Department.*

Army Department—

(a) Commissioned or gazetted officers.	Accountant General, Central Revenues, Delhi.
(b) Non-gazetted officers . . . .	Secretary to the Government of India, Army Department, <sup>Simla</sup> Delhi.

#### *Military.*

Those at Army Headquarters . . .	Military Accountant General (Pay Section), Simla.
Those at Headquarters, Northern Command.	Controller of Military Accounts, Northern Command and Rawalpindi District, Rawalpindi.
Those under the Rawalpindi Military District.	Ditto.
Those under the Peshawar Military District.	Controller of Military Accounts, Peshawar District, Peshawar.
Those under the Kohat Military District.	Controller of Military Accounts, Kohat District, Rawalpindi.
Those under the Lahore Military District.	Controller of Military Accounts, Lahore District, Lahore.
Those under the Waziristan Military District.	Controller of Military Accounts, Waziristan District, Lahore.
Those at Headquarters, Eastern Command.	Controller of Military Accounts, Eastern Command and United Provinces District, Meerut.
Those under the United Provinces Military District.	Ditto.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.***

***Schedule—contd.***

Department, service or office in which the judgment-debtor is employed.	Officer to whom notice should be sent.
Those under the Delhi Independent Brigade Area.	Controller of Military Accounts, Eastern Command and United Provinces District, Meerut.
Those under the Allahabad Independent Brigade Area.	Controller of Military Accounts, Allahabad Independent Brigade Area, Allahabad.
Those under the Presidency and Assam Military District.	Controller of Military Accounts, Presidency and Assam District, Calcutta.
Those at Headquarters, Southern Command.	Controller of Military Accounts, Southern Command and Poona District, Poona.
Those under the Poona Military District.	Ditto.
Those under the Aden Independent Brigade.	Ditto.
Those under the Bombay Military District.	Controller of Military Accounts, Bombay District, Poona.
Those under the Central Provinces Military District.	Controller of Military Accounts, Central Provinces District, Mhow.
Those under the Madras Military District.	Controller of Military Accounts, Madras District, Bangalore.
Those under the Burma Military District.	Controller of Military Accounts, Burma District, Maymyo.
Those at Headquarters, Western Command.	Controller of Military Accounts, Western Command and Baluchistan District, Quetta.
Those under the Baluchistan Military District.	Ditto.
Those under the Zhob Independent Brigade Area.	Ditto.
Those under the Sind Rajputana Military District.	Controller of Military Accounts, Sind Rajputana District, Karachi.
Ordnance Factories and Clothing Depôts in India.	Controller of Army Factory Accounts, Calcutta.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.***

***Schedule—contd.***

Department, service or office in which the judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Service out of India but under the orders of the Government of India and paid out of His Majesty's Indian revenues.	The Military Accountant General, Simla, for transmission to the proper Controller or Accountant dealing with the officer's salary.
<i>Royal Air Force.</i>	
Offices of Headquarters, Royal Air Force and offices subordinate thereto.	Controller, Royal Air Force Accounts, Ambala.
<i>Royal Indian Marine.</i>	
Royal Indian Marine . . . . .	Controller of Marine Accounts, Bombay.

[See Gazette of India, 1925, Pt. I, p. 282.]

[No. 1010, dated the 29th July, 1924.—In pursuance of Order XXI, rule 48, sub-rule (1), of the rules in the First Schedule to the Code of Civil Procedure, 1908, and in supersession of the notifications of the Government of India in the Department of Education, No. 28, dated the 13th January, 1911, and the Department of Revenue and Agriculture, No. 756, dated the 21st March, 1911, the Governor General in Council is pleased to direct that notices of orders attaching the salary or allowances of persons employed in the Department of Education, Health and Lands of the Government of India and in offices under the administrative control of that Department shall be sent to the officers specified in each case in column 2 of the Schedule hereto annexed.

***The Schedule.***

**PART I.—GAZETTED OFFICERS.**

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Department of Education, Health and Lands including the office of the Inspector-General of Forests. Forest Research Institute and College, Dehra Dun.	Deputy Accountant General, Central Revenues, Delhi. Accountant General, Central Revenues.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

*Schedule—contd.*

**PART I.—GAZETTED OFFICERS—*contd.***

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.	
1	2	
Office of the Keeper of the Records of the Government of India.	Accountant General, Central Revenues.	
Office of the Director General, Indian Medical Service.	Deputy Accountant General, Central Revenues, Delhi.	
Office of the Imperial Serologist . . . . .	Accountant General, Central Revenues.	
Central Research Institute, Kasauli . . . . .	Ditto	ditto.
X-Ray Institute . . . . .	Ditto	ditto.
Office of the Director General of Archaeology in India and of other officers of the Archaeological Survey of India.	Ditto	ditto.
Imperial Library, Calcutta . . . . .	Ditto	ditto.
Office of the Director, Zoological Survey of India.	Ditto	ditto.
Survey of India . . . . .	Ditto	ditto.
Office of the Agricultural Adviser to the Government of India and Director of the Agricultural Research Institute and College, Pusa, including medical establishment.	Ditto	ditto.
Office of the Imperial Mycologist . . . . .	Ditto	ditto.
Office of the Imperial Economic Botanist . . . . .	Ditto	ditto.
Office of the Agricultural Chemist . . . . .	Ditto	ditto.
Office of the Imperial Agriculturist . . . . .	Ditto	ditto.
Office of the Imperial Agricultural Bacteriologist.	Ditto	ditto.
Office of the Imperial Entomologist . . . . .	Ditto	ditto.
Office of the Physiological Chemist . . . . .	Ditto	ditto.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.***

*Schedule—contd.*

**PART I.—GAZETTED OFFICERS—*contd.***

Department or office in which judgment-debtor is employed.      Officer to whom notice should be sent.

1	2
Office of the Imperial Dairy Expert .	Accountant General, Central Revenues.
Imperial Bacteriological Laboratory, Muktesar.	Ditto ditto.
Secretary, Indian Central Cotton Committee, Bombay.	Ditto ditto.
Civil Veterinary Department, Baluchistan.	Ditto ditto.
Botanical Survey of India, including offices of the Curator, Industrial Section, Indian Museum; Systematic Assistants; and the Superintendent, Cinchona cultivation, Burma.	Ditto ditto.
Imperial Institutes of Animal Husbandry and Dairying, Bangalore and Wellington.	Ditto ditto.
Imperial Cattle Breeding Farm, Karnal.	Ditto ditto.
Office of the Secretary, Sugar Bureau .	Ditto ditto.
Office of the Imperial Agronomist . .	Ditto ditto.
Office of the Physical Chemist . .	Ditto ditto.
Office of the Vegetable Biological Chemist	Ditto ditto.
Office of the Agricultural Engineer .	Ditto ditto.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.***

*Schedule—contd.*

**PART II.—NON-GAZETTED OFFICERS.**

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Department of Education, Health and Lands including the Office of the Inspector General of Forests.	Registrar, Department of Education, Health and Lands.
Office of the Keeper of the Records of the Government of India.	Keeper of the Records of the Government of India.
Office of the President, Forest Research Institute and College, Dehra Dun.	President, Forest Research Institute and College, Dehra Dun.
Office of the Forest Botanist . . .	Forest Botanist, Dehra Dun.
Office of the Forest Economist . . .	Forest Economist, Dehra Dun.
Office of the Forest Silviculturist . . .	Forest Silviculturist, Dehra Dun.
Office of the Forest Entomologist . . .	Forest Entomologist, Dehra Dun.
Office of the Forest Chemist . . .	Forest Chemist, Dehra Dun.
Central Research Institute, Kasauli .	Director, Central Research Institute, Kasauli.
X-Ray Institute, Dehra Dun . . .	Superintendent, X-Ray Institute, Dehra Dun.
Imperial Serologist . . . . .	Imperial Serologist, Calcutta.
Office of the Director General of Indian Medical Service.	Deputy Director General, Indian Medical Service.
Office of the Director General of Archaeology in India, and subordinate offices of the Archaeological Survey of India.	Director General of Archaeology in India, Simla.
Imperial Library, Calcutta . . . .	Librarian, Imperial Library, Calcutta.
Office of the Director, Zoological Survey of India.	Director, Zoological Survey of India, Calcutta.
Office of the Curator, Indian War Memorial. .	Deputy Accountant General, Central Revenues, Delhi.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

*Schedule—contd.*

**PART II.—NON-GAZETTED OFFICERS—*contd.***

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Agricultural Adviser to the Government of India and Director of the Agricultural Research Institute and College, Pusa, including offices of Imperial Mycologist, Imperial Economic Botanist, Imperial Agricultural Chemist, Imperial Agriculturist, Imperial Agricultural Bacteriologist, Imperial Entomologist, Physiological Chemist, Imperial Dairy Expert, Medical Establishment, Sugar Bureau Establishment.	Agricultural Adviser to the Government of India.
Imperial Bacteriological Laboratory, Muktesar.	Director and First Bacteriologist, Muktesar.
Office of the Indian Central Cotton Committee, Bombay.	Secretary, Indian Central Cotton Committee, Bombay.
Civil Veterinary Department, Baluchistan.	Deputy Superintendent, Civil Veterinary Department, Baluchistan.
Botanical Survey of India, including Assistants for systematic work, Curator, Industrial Section, Indian Museum; and the Superintendent, Cinchona cultivation, Burma.	Director, Botanical Survey of India.
Imperial Institutes of Animal Husbandry and Dairying, Bangalore and Wellington.	Agricultural Adviser to the Government of India.
Imperial Cattle Breeding Farm, Karnal	Ditto ditto.
Office of the Imperial Agronomist . . .	Ditto ditto.
Office of the Physical Chemist . . .	Ditto ditto.
Office of the Vegetable Biological Chemist	Ditto ditto.
Office of the Agricultural Engineer . .	Ditto ditto.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

THE CODE OF CIVIL PROCEDURE, 1908 (V of 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

*Schedule—contd.*

**PART. II.—NON-GAZETTED OFFICERS—*concl'd.***

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Survey of India:—	
Trigonometrical Survey . . .	Superintendent of the Trigonometrical Survey, Dehra Dun.
Northern Circle . . .	Superintendent, Northern Circle, Survey of India, Mussoorie.
Southern Circle . . .	Superintendent, Southern Circle, Survey of India, Bangalore.
Eastern Circle . . .	Superintendent, Eastern Circle, Survey of India, Shillong.
Burma Circle . . .	Superintendent, Burma Circle, Survey of India, Maymyo.
Office of Superintendent, Map Publication.	Superintendent, Map Publication, Survey of India, Calcutta.
Photo-Litho Office . . .	Ditto ditto.
Engraving and Drawing Offices .	Ditto ditto.
Map Record and Issue Office . .	Ditto ditto.
Imperial Standard Mapping Section	Ditto ditto.
Mathematical Instrument Office .	Ditto ditto.
No. 6 Drawing Office, Simla . .	Officer-in-Charge, No. 6 Drawing Office, Simla.
Surveyor General's Office . .	Officer-in-Charge, Surveyor General's Office, Calcutta.

NOTE:—Entries regarding the Survey of India include the following classes of establishments:—

Upper Subordinate Service; Surveyors, Draftsmen, Clerks, Computers, Printers, Engravers, Photographers, Artificers, etc.

[See Gazette of India, 1924, Pt. I, p. 715.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

No. 577-E., dated the 30th June, 1924.—In pursuance of Order XXI, rule 48, sub-rule (1), of the rules in the First Schedule to the Code of Civil Procedure, 1908, and in supersession of the previous notification on the subject, the Governor General in Council is pleased to direct that notices of orders attaching the salary or allowances of persons employed under the Railway Board, and in Railway offices subject to the administrative control of the Railway Board, shall be sent to the officers specified in each case in column 2 of the Schedule hereto annexed.

*The Schedule.*

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
1. Railway Department (Railway Board)—	
(a) Gazetted Officers . . .	Accountant General, Central Revenues.
(b) Non-Gazetted Officers . . .	Assistant Secretary, Railway Department (Railway Board).
2. State Railways worked by or being constructed by the State.	Chief Auditor or Audit Officer of the Railway concerned except when he is personally concerned in which case the Accountant General, Central Revenues, is the appointed officer.
3. Office of the Chief Mining Engineer, Railway Board, Calcutta.	Chief Auditor, Eastern Bengal Railway.
4. Office of the Coal Transportation Officer, Calcutta.	Ditto. ditto.
5. State lines worked by Companies and Companies' lines.	Chief Auditor of the Railway concerned except when the Chief Auditor is personally concerned in which case the Government Examiner of the Company-worked Railway is the appointed officer.
6. Office of Senior Government Inspector, Circle No. 1, Calcutta.	The Senior Government Inspector concerned except when he is personally concerned in which case the Chief Auditor, Ouda and Bahadur Railway, is the appointed officer.
7. Office of the Government Inspector of Railways, No. H.A., Buxar.	



## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

### *Schedule—contd.*

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
8. Office of Senior Government Inspector, Circle No. II, Calcutta.	
9. Office of Senior Government Inspector, Circle No. III, Lucknow.	
10. Office of Senior Government Inspector, Circle No. IV, Lahore.	The Senior Government Inspector concerned except when he is personally concerned in which case the Chief Auditor, Oudh and Rohilkhand Railway, is the appointed officer.
11. Office of Senior Government Inspector, Circle No. V, Bombay.	
12. Office of Senior Government Inspector, Circle No. VI, Bombay.	
13. Office of Senior Government Inspector, Circle No. VII, Madras.	
14. Office of Government Examiner of Railway Accounts of different Railways.	The Government Examiner concerned except when he is personally concerned in which case the Accountant General, Central Revenue, is the appointed Officer.
15. Office of the Secretary, Indian Railway Conference Association.	Chief Auditor, East Indian Railway.
16. Office of the Director of Wagon Interchange.	Ditto. ditto.

[See Gazette of India, 1924, Pt. 1, p. 636.]

No. F-238—24, dated the 2nd July, 1924.—In pursuance of Order XXI, rule 48, sub-rule (1), of the rules in the First Schedule to the Code of Civil Procedure, 1908, and in supersession of the notifications of the Government of India in the Home Department, No. 1662, dated the 29th November, 1910, and No. 792, dated the 25th May, 1911, the Governor General in Council is pleased to direct that notices of orders attaching the salary or allowances of persons employed in the High Court, Calcutta, in the Home Department of the Government of India and in the offices subordinate to the Home Department, and of the gazetted and non-

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

*Schedule—concl'd.*

**PART II.—NON-GAZETTED OFFICERS.**

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
High Court, Calcutta . . . . .	Registrar, High Court, Appellate or Original Side, according as the judgment-debtor is employed on the Appellate or Original Side.
Home Department . . . . .	Assistant Secretary, Home Department, <sup>Delhi</sup> <sub>Simla</sub> .
Intelligence Bureau of the Home Department.	Chief Superintendent, Intelligence Bureau, Home Department, <sup>Simla</sup> <sub>Delhi</sub> .
Director of Public Information, Home Department.	Assistant Director of Public Information, Home Department.
Offices in Port Blair . . . . .	Chief Commissioner, Andaman and Nicobar Islands.
Office of the Private Secretary to His Excellency the Viceroy.	Registrar, Office of the Private Secretary to His Excellency the Viceroy.
Office of the Military Secretary to His Excellency the Viceroy and offices subordinate to it.	Personal Assistant to the Military Secretary to His Excellency the Viceroy.
Superintendent, Viceregal Gardens . .	
Superintendent, His Excellency the Viceroy's Stables.	
Superintendent, His Excellency the Viceroy's Garage.	
Office of the Superintendent, Viceregal Estates.	Superintendent, Viceregal Estates.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

*No. F.-231—24-G., dated the 26th August, 1924.*—In pursuance of Order XXI, rule 48, sub-rule (1), of the rules in the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908), and in supersession of the notification of the Government of India in the Legislative Department No. 63, dated the 9th December, 1910, the Governor General in Council is pleased to direct that notices of orders attaching the salary or allowances of persons employed in the Legislative Department shall be sent to the officers specified in column 2 of the Schedule hereto annexed.

#### *The Schedule.*

Class of employee.	Officer to whom notice should be sent.
Gazetted Officers . . . . .	Deputy Accountant General, Central Revenues, Delhi.
Non-Gazetted Officers . . . . .	Registrar, Legislative Department, Simla/Delhi.

[See Gazette of India, 1924, Pt. I, p. 762.]

*No. 3719-A., dated the 28th August, 1924.*—In pursuance of Order XXI, rule 48, sub-rule (1), of the rules in the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908), and in supersession of the notification of the Government of India in the Finance Department, No. 1153-A., dated the 24th February, 1911 and No. 619-A., dated 17th June, 1913, the Governor General in Council is pleased to direct that notices of orders attaching the salaries or allowances of persons employed in the Finance Department of the Government of India, and in offices attached or subordinate to it, shall be sent to the officers specified in each case in column 2 of the schedule hereto annexed.

#### *The Schedule.*

### PART I.—GAZETTED OFFICERS.

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Finance Department and Central Board of Revenue.	Deputy Accountant General, Central Revenues, Delhi.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

#### *Schedule—contd.*

#### PART I.—GAZETTED OFFICERS—*contd.*

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Auditor General . . . .	Auditor General, Delhi.
Office of the Controller of the Currency and the Deputy Controller of the Currency, Calcutta.	Accountant General, Central Revenues, Calcutta.
Office of the Deputy Controller of the Currency, Bombay.	Accountant General, Bombay, Bombay.
Office of the Deputy Controller of the Currency, Northern India.	Deputy Accountant General, Central Revenues, Delhi.
Office of the Currency Officer, Calcutta .	Accountant General, Central Revenues, Calcutta.
Office of the Currency Officer, Cawnpore	Accountant General, United Provinces, Allahabad.
Office of the Currency Officer, Lahore .	Accountant General, Punjab, Lahore.
Office of the Currency Officer, Bombay .	Accountant General, Bombay, Bombay.
Office of the Currency Officer, Karachi .	Accountant General, Bombay, Bombay.
Office of the Currency Officer, Madras .	Accountant General, Madras, Madras.
Office of the Currency Officer, Rangoon .	Accountant General, Burma, Rangoon.
Office of the Accountant General, Central Revenues.	*Accountant General, Central Revenues, Calcutta.
Office of the Accountant General, Bengal	*Accountant General, Bengal, Calcutta.
Office of the Accountant General, Madras	*Accountant General, Madras, Madras.
Office of the Accountant General, Bombay	*Accountant General, Bombay, Bombay.
Office of the Accountant General, United Provinces.	*Accountant General, United Provinces, Allahabad.

\* Except where the head of the Office is himself concerned in which case the Auditor General, Delhi, is the appointed officer.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

#### *Schedule—contd.*

#### PART I.—GAZETTED OFFICERS—*contd.*

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Accountant General, Punjab	*Accountant General, Punjab, Lahore.
Office of the Accountant General, Burma	*Accountant General, Burma, Rangoon.
Office of the Accountant General, Bihar and Orissa.	*Accountant General, Bihar and Orissa, Ranchi.
Office of the Accountant General, Central Provinces.	*Accountant General, Central Provinces, Nagpur.
Office of the Comptroller, Assam	*Comptroller, Assam, Shillong.
Office of the Deputy Accountant General, Central Revenues.	*Deputy Accountant General, Central Revenues, Delhi.
Office of the Audit and Accounts Officer, Bombay Development Scheme.	*Audit and Accounts Officer, Bombay Development Scheme, Bombay.
Office of the Audit Officer Lloyd Barrage and Canal Construction.	*Audit Officer, Lloyd Barrage and Canal Construction, Karachi.
Office of the Audit Officer, Indian Stores Department.	*Audit Officer, Indian Stores Department, <sup>Simla</sup> Delhi.
Office of the Accountant General, Posts and Telegraphs.	*Accountant General, Posts and Telegraphs, Calcutta.
Office of the Deputy Accountant General, Posts and Telegraphs, Postal Branch, Calcutta.	†Deputy Accountant General, Posts and Telegraphs, Postal Branch, Calcutta.
Office of the Deputy Accountant General, Posts and Telegraphs, Telegraph Branch, Calcutta.	†Deputy Accountant General, Posts and Telegraphs, Telegraph Branch, Calcutta.
Office of the Accounts Officer, Telegraph Check Office, Calcutta.	Accountant General, Posts and Telegraphs, Calcutta.

\* Except where the head of the Office is himself concerned in which case the Auditor General, Delhi, is the appointed officer.

† Except where the head of the Office is himself concerned in which case the Accountant General, Posts and Telegraphs, Calcutta, is the appointed officer.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

#### *Schedule—contd.*

#### PART I.—GAZETTED OFFICERS—*contd.*

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
	2
Office of the Deputy Accountant General, Posts and Telegraphs, Nagpur.	† Deputy Accountant General, Posts and Telegraphs, Nagpur.
Office of the Deputy Accountant General, Posts and Telegraphs, Delhi.	† Deputy Accountant General, Posts and Telegraphs, Delhi.
Office of the Deputy Accountant General, Posts and Telegraphs, Madras.	† Deputy Accountant General, Posts and Telegraphs, Madras.
Office of the Accountant General, Railways.	* Accountant General, Railways, <sup>Simla</sup> Delhi.
Office of the Chief Auditor, North Western Railway.	† Chief Auditor, North Western Railway, Lahore.
Office of the Chief Auditor, Oudh and Rohilkhand Railway.	† Chief Auditor, Oudh and Rohilkhand Railway, Lucknow.
Office of the Chief Auditor, Eastern Bengal Railway.	† Chief Auditor, Eastern Bengal Railway, Calcutta.
Office of the Government Examiner of Accounts, East Indian and Bengal Nagpur Railways.	† Government Examiner of Accounts, East Indian and Bengal Nagpur Railways, Calcutta.
Office of the Government Examiner of Accounts, Burma Railways.	† Government Examiner of Accounts, Burma Railways, Rangoon.
Office of the Government Examiner of Accounts, Bengal and North Western and Rohilkhand and Kumaon Railways.	† Government Examiner of Accounts, Bengal and North Western and Rohilkhand and Kumaon Railways, Gorakhpur.
Office of the Government Examiner of Accounts, Madras and Southern Mahratta and South Indian Railways.	† Government Examiner of Accounts, Madras and Southern Mahratta and South Indian Railways, Madras.

\* Except where the head of the Office is himself concerned in which case the Auditor General, Delhi, is the appointed officer.

† Except where the head of the Office is himself concerned in which case the Accountant General, Posts and Telegraphs, Calcutta, is the appointed officer.

‡ Except where the head of the Office is himself concerned in which case the Accountant General, Railways, is the appointed officer.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

*Schedule—contd.*

**PART I.—GAZETTED OFFICERS—*contd.***

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Government Examiner of Accounts, Great Indian Peninsula and Bombay, Baroda and Central India Railways.	†Government Examiner of accounts, Great Indian Peninsula and Bombay, Baroda and Central India Railways.
Office of the Examiner of Accounts, Central India Coalfields Railway Construction.	†Examiner of Accounts, Central India Coalfields Railway Construction, Ranchi.
Office of the Government Examiner of Accounts, Assam-Bengal Railway.	†Government Examiner of Accounts, Assam-Bengal Railway, Chittagong.
Office of the Audit Officer, Khyber Railway Construction.	†Audit Officer, Khyber Railway Construction, Peshawar.
Office of the Examiner, Press Accounts .	*Examiner, Press Accounts, Calcutta.
Office of the Examiner, Customs Accounts.	Auditor General, Delhi.
Office of the Mint Master, Calcutta .	<sup>1</sup> [Accountant General, Central Revenue, Calcutta].
Office of the Mint and Assay Masters, Bombay.	Accountant General, Bombay.
Office of the Financial Adviser, Posts and Telegraphs . . . . .	Deputy Accountant General, Posts and Telegraphs, Postal Branch, Calcutta.
Income-tax Department, Madras . . . . .	Accountant General, Madras.
Income-tax Department, Bombay . . . . .	Accountant General, Bombay.
Income-tax Department, Bengal . . . . .	Accountant General, Bengal, Calcutta.

\* Except where the head of the Office is himself concerned in which case the Auditor General, Delhi, is the appointed officer.

† Except where the head of the Office is himself concerned in which case the Accountant General, Railways, is the appointed officer.

<sup>1</sup>Substituted by Notification No. 4140-A., dated 8th September, 1924, see Gazette of India, 1924, Pt. I, p. 798.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

#### *Schedule—contd.*

#### PART I.—GAZETTED OFFICERS—*concl'd.*

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Income-tax Department, United Provinces.	Accountant General, United Provinces, Allahabad.
Income-tax Department, Punjab and North-West Frontier Province.	Accountant General, Punjab, Lahore.
Income-tax Department, Burma . . .	Accountant General, Burma, Rangoon.
Income-tax Department, Bihar and Orissa.	Accountant General, Bihar and Orissa, Ranchi.
Income-tax Department, Central Provinces.	Accountant General, Central Provinces, Nagpur.
Office of the Income-tax Officer, Baluchistan.	Accountant General, Central Revenues, Calcutta. ,
Office of the Income-tax Officer, Delhi .	Deputy Accountant General, Central Revenues, Delhi.
Northern India Salt Revenue Department.	Audit Officer, Indian Stores Department, <sup>Simla</sup> Delhi.
Security Printing Office (and other gazetted officers under him).	Deputy Accountant General, Central Revenues, Delhi.
Office of the Collector of Customs, Calcutta (including the office of the Collector of Customs, Chittagong).	Accountant General, Bengal, Calcutta.
Office of the Collector of Customs, Bombay.	Accountant General, Bombay.
Office of the Collector of Customs, Karachi.	Accountant General, Bombay.
Office of the Collector of Customs, Madras.	Accountant General, Madras.
Office of the Collector of Customs, Rangoon.	Accountant General, Burma, Rangoon.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.***

*Schedule—contd.*

**PART II.—NON-GAZETTED OFFICERS.**

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Finance Department . . . .	Chief Superintendent, Finance Department, <sup>Simla</sup> Delhi.
Central Board of Revenue . . . .	Secretary to the Central Board of Revenues, <sup>Simla</sup> Delhi.
Office of the Auditor General . . . .	Auditor General, Delhi.
Office of the Controller of the Currency .	Controller of the Currency, Calcutta.
Office of the Deputy Controller of the Currency, Bombay.	Deputy Controller of the Currency, Bombay.
Office of the Deputy Controller of the Currency, Calcutta.	Deputy Controller of the Currency, Calcutta.
Office of the Deputy Controller of the Currency, Northern India, Delhi.	Deputy Controller of the Currency, Northern India, Delhi.
Office of the Currency Officer, Calcutta .	Currency Officer, Calcutta.
Office of the Currency Officer, Cawnpore	Currency Officer, Cawnpore.
Office of the Currency Officer, Lahore .	Currency Officer, Lahore.
Office of the Currency Officer, Bombay .	Currency Officer, Bombay.
Office of the Currency Officer, Karachi .	Currency Officer, Karachi.
Office of the Currency Officer, Madras .	Currency Officer, Madras.
Office of the Currency Officer, Rangoon .	Currency Officer, Rangoon.
Office of the Accountant General, Central Revenues.	Accountant General, Central Revenues, Calcutta.
Office of the Accountant General, Bengal	Accountant General, Bengal, Calcutta.
Office of the Accountant General, Madras	Accountant General, Madras, Madras.
Office of the Accountant General, Bombay	Accountant General, Bombay, Bombay.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

#### *Schedule—contd.*

#### PART II.—NON-GAZETTED OFFICERS—*contd.*

Department or office in which judgment debtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Accountant General, United Provinces.	Accountant General, United Provinces, Allahabad.
Office of the Accountant General, Punjab	Accountant General, Punjab, Lahore.
Office of the Accountant General, Burma	Accountant General, Burma, Rangoon.
Office of the Accountant General, Bihar and Orissa.	Accountant General, Bihar and Orissa, Ranchi.
Office of the Accountant General, Central Provinces.	Accountant General, Central Provinces, Nagpur.
Office of the Deputy Accountant General, Central Revenues, Delhi.	Deputy Accountant General, Central Revenues, Delhi.
Office of the Comptroller, Assam	Comptroller, Assam, Shillong.
Office of the Audit Officer, Indian Stores Department.	Audit Officer, Indian Stores Department, Simla Delhi.
Office of the Audit Officer, Bombay Development Scheme.	Audit Officer, Bombay Development Scheme, Bombay.
Office of the Audit Officer, Lloyd Barrage and Canal Construction.	Audit Officer, Lloyd Barrage and Canal Construction, Karachi.
Office of the Accountant General, Posts and Telegraphs.	Accountant General, Posts and Telegraphs, Calcutta.
Office of the Deputy Accountant General, Posts and Telegraphs, Postal Branch, Calcutta.	Deputy Accountant General, Posts and Telegraphs, Postal Branch, Calcutta.
Office of the Deputy Accountant General, Posts and Telegraphs, Telegraph Branch.	Deputy Accountant General, Posts and Telegraphs, Telegraph Branch, Calcutta.
Office of the Accounts Officer, Telegraph Check Office.	Accounts Officer, Telegraph Check Office, Calcutta.
Office of the Deputy Accountant General, Posts and Telegraphs, Nagpur.	Deputy Accountant General, Posts and Telegraphs, Nagpur.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.***

*Schedule—contd.*

**PART II.—NON-GAZETTED OFFICERS—*contd.***

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Deputy Accountant General, Posts and Telegraphs, Delhi.	Deputy Accountant General, Posts and Telegraphs, Delhi.
Office of the Deputy Accountant General, Posts and Telegraphs, Madras.	Deputy Accountant General, Posts and Telegraphs, Madras.
Office of the Accountant General, Railways.	Accountant General, Railways, <sup>Simsa</sup> Delhi.
Office of the Chief Auditor, North Western Railway.	Chief Auditor, North-Western Railway, Lahore.
Office of the Chief Auditor, Oudh and Rohilkhand Railway.	Chief Auditor, Oudh and Rohilkhand Railway, Lucknow.
Office of the Chief Auditor, Eastern Bengal Railway.	Chief Auditor, Eastern Bengal Railway, Calcutta.
Office of the Government Examiner of Accounts, East Indian and Bengal Nagpur Railways.	Government Examiner of Accounts, East Indian and Bengal Nagpur Railways, Calcutta.
Office of the Government Examiner of Accounts, Burma Railways.	Government Examiner of Accounts, Burma Railways, Rangoon.
Office of the Government Examiner of Accounts, Bengal and North-Western and Rohilkhand and Kumaon Railways.	Government Examiner of Accounts, Bengal and North-Western and Rohilkhand and Kumaon Railways, Gorakhpur.
Office of the Government Examiner of Accounts, Madras and Southern Mahratta and South Indian Railways.	Government Examiner of Accounts, Madras and Southern Mahratta and South Indian Railways, Madras.
Office of the Government Examiner of Accounts, Great Indian Peninsula and Bombay, Baroda and Central India Railways.	Government Examiner of Accounts, Great Indian Peninsula and Bombay, Baroda and Central India Railways, Bombay.
Office of the Examiner of Accounts, Central India Coalfields Railway Construction.	Examiner of Accounts, Central India Coalfields Railway Construction, Ranchi.
Office of the Government Examiner of Accounts, Assam-Bengal Railway.	Government Examiner of Accounts, Assam Bengal Railway, Chittagong.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

#### *Schedule—contd.*

#### PART II.—NON-GAZETTED OFFICERS—*contd.*

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Audit Officer, Khyber Railway Construction.	Audit Officer, Khyber Railway Construction, Peshawar.
Office of the Examiner of Press Accounts.	Examiner of Press Accounts, Calcutta.
Office of the Examiner of Customs Accounts.	Examiner of Customs Accounts, c/o the Auditor General, Delhi.
Office of the Mint Master, Calcutta	Mint Master, Calcutta.
Office of the Mint Master, Bombay	Mint Master, Bombay.
Office of the Assay Master, Bombay	Assay Master, Bombay.
Office of the Financial Adviser, Posts and Telegraphs.	Financial Adviser, Posts and Telegraphs, State, Delhi.
Income-tax Department, Madras . .	Commissioner of Income-tax, Madras.
Income-tax Department, Bombay . .	Commissioner of Income-tax, Bombay.
Income-tax Department, Bengal . .	Commissioner of Income-tax, Bengal.
Income-tax Department, United Provinces.	Commissioner of Income-tax, United Provinces.
Income-tax Department, Punjab and North-West Frontier Province.	Commissioner of Income-tax, Punjab and North-West Frontier Province.
Income-tax Department, Burma . .	Commissioner of Income-tax, Burma.
Income-tax Department, Bihar and Orissa.	Commissioner of Income-tax, Bihar and Orissa.
Income-tax Department, Central Provinces.	Commissioner of Income-tax, Central Provinces.
Office of the Income-tax Officer, Baluchistan.	Income-tax Officer, Baluchistan.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.***

*Schedule—concl'd.*

**PART II.—NON-GAZETTED OFFICERS—*concl'd.***

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Income-tax Officer, Delhi .	Income-tax Officer, Delhi.
Northern India Salt Revenue Department.	Commissioner, Northern India Salt Revenue Department, Agra.
Security Printing Office . . . .	Officer in Charge of Security Printing.
Office of the Collector of Customs, Calcutta.	Collector of Customs, Calcutta.
Office of the Collector of Customs, Bombay.	Collector of Customs, Bombay.
Office of the Collector of Customs, Karachi.	Collector of Customs, Karachi.
Office of the Collector of Customs, Madras.	Collector of Customs, Madras.
Office of the Collector of Customs, Rangoon.	Collector of Customs, Rangoon.

[See Gazette of India, 1924, Pt. I, p. 765.]

*No. 3677-E., dated the 9th September, 1924.*—In pursuance of Order XXI, rule 48, sub-rule (1), of the rules in the First Schedule to the Code of Civil Procedure, 1908, (Act V of 1908) and in supersession of the notification of the Government of India in the Finance Department (Military Finance), No. 751-G., dated the 16th June, 1911, the Governor General in Council is pleased to direct that notices of orders attaching the salary or allowances of persons employed in the office of the Financial Adviser, Military Finance and offices subordinate thereto, shall be sent to the officers specified in each case in column 2 of the schedule hereto annexed.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

#### *The Schedule.*

#### PART I.—GAZETTED OFFICERS.

Department or office in which judgment-dobtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Financial Adviser, Military Finance.	Deputy Accountant General, Central Revenues, Delhi.
Office of the Military Accountant General.	Military Accountant General (Pay Section), Simla.
Office of the Controller of Military Accounts, Northern Command and Rawalpindi District.	Controller of Military Accounts, Northern Command and Rawalpindi District, Rawalpindi.
Office of the Controller of Military Accounts, Peshawar District.	Controller of Military Accounts, Peshawar District, Peshawar.
Office of the Controller of Military Accounts, Kohat District.	Controller of Military Accounts, Kohat District, Rawalpindi.
Office of the Controller of Military Accounts, Lahore District.	Controller of Military Accounts, Lahore District, Lahore.
Office of the Deputy Assistant Controller of Military Accounts (Contracts), Simla.	
Office of the Controller of Military Accounts, Waziristan District.	Controller of Military Accounts, Waziristan District, Lahore.
Office of the Controller of Military Accounts, Sind-Rajputana District.	Controller of Military Accounts, Sind-Rajputana District, Karachi.
Office of the Controller of Military Accounts, Western Command and Baluchistan District.	Controller of Military Accounts, Western Command and Baluchistan District, Quetta.
Office of the Controller of Military Accounts, Southern Command and Poona District.	Controller of Military Accounts, Southern Command and Poona District, Poona.
Office of the Controller of Military Accounts, Bombay District.	Controller of Military Accounts, Bombay District, Poona.
Office of the Controller of Military Accounts, Central Provinces District.	Controller of Military Accounts, Central Provinces District, Mhow.

# Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

## THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

### *Schedule—contd.*

#### PART I.—GAZETTED OFFICERS—*contd.*

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Controller of Military Accounts, Eastern Command and United Provinces District.	Controller of Military Accounts, Eastern Command and United Provinces District, Meerut.
Office of the Controller of Military Accounts, Allahabad Independent Brigade.	Controller of Military Accounts, Allahabad Independent Brigade, Allahabad.
Office of the Controller of Military Accounts, Presidency and Assam District	Controller of Military Accounts, Presidency and Assam District, Calcutta.
Office of the Controller of Military Accounts, Madras District.	Controller of Military Accounts, Madras District, Bangalore.
Office of the Controller of Military Accounts, Burma District.	Controller of Military Accounts, Burma District, Maymyo.
Office of the Controller of Marine Accounts.	Controller of Marine Accounts, Bombay.
Office of the Controller of Accounts, Royal Air Force.	Controller of Accounts, Royal Air Force, Ambala.
Office of the Deputy Assistant Controller of Accounts, Aircraft Depôt, Royal Air Force, Karachi.	
Office of the Controller of Army Factory Accounts.	Controller of Army Factory Accounts, Calcutta.
Office of the Deputy Assistant Controller of Army Factory Accounts, Gun and Shell Factory, Cossipore.	
Office of the Deputy Assistant Controller of Army Factory Accounts, Rifle Factory, Ishapore.	
Office of the Deputy Assistant Controller of Army Factory Accounts, Metal and Steel Factory, Ishapore.	

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

#### *Schedule—concl'd.*

#### PART I.—GAZETTED OFFICERS—*concl'd.*

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Deputy Assistant Controller of Army Factory Accounts, Harness and Saddlery Factory, Cawnpore.	Controller of Army Factory Accounts, Calcutta.
Office of the Deputy Assistant Controller of Army Factory Accounts, Gun Carriage Factory, Jubbulpore.	
Office of the Deputy Assistant Controller of Army Factory Accounts, Ammunition Factory, Kirkee.	
Office of the Deputy Assistant Controller of Army Factory Accounts, Cordito Factory, Aruvankadu.	
Office of the Deputy Assistant Controller of Army Factory Accounts, Clothing Depôt, Shaljahanspore.	
Office of the Deputy Assistant Controller of Army Factory Accounts, Clothing Depôt, Madras.	Field Controller of Military Accounts, Poona.
Office of the Field Controller of Military Accounts, Poona.	

#### PART II.—NON-GAZETTED OFFICERS.

Office of the Financial Advisor, Military Finance, Simla or Delhi.	Assistant Financial Advisor, Military Finance, Simla or Delhi.
Office of the Military Accountant General.	Military Accountant General, Simla.
Office of the Controller of Military Accounts, Northern Command and Rawalpindi District.	Controller of Military Accounts, Northern Command and Rawalpindi District, Rawalpindi.
Office of the Controller of Military Accounts, Peshawar District.	Controller of Military Accounts, Peshawar District, Peshawar.
Office of the Controller of Military Accounts, Kohat District.	Controller of Military Accounts, Kohat District, Rawalpindi.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

*Schedule—contd.*

**PART II.—NON-GAZETTED OFFICERS—*contd.***

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Controller of Military Accounts, Lahore District.	Controller of Military Accounts, Lahore District, Lahore.
Office of the Deputy Assistant Controller of Military Accounts, (Contracts), Simla.	
Office of the Controller of Military Accounts, Waziristan District.	Controller of Military Accounts, Waziristan District, Lahore.
Office of the Controller of Military Accounts, Sind Rajputana District.	Controller of Military Accounts, Sind Rajputana District, Karachi.
Office of the Controller of Military Accounts, Western Command and Baluchistan District.	Controller of Military Accounts, Western Command and Baluchistan District, Quetta.
Office of the Controller of Military Accounts, Southern Command and Poona District.	Controller of Military Accounts, Southern Command and Poona District, Poona.
Office of the Controller of Military Accounts, Bombay District.	Controller of Military Accounts, Bombay District, Poona.
Office of the Controller of Military Accounts, Central Provinces District.	Controller of Military Accounts, Central Provinces District, Mhow.
Office of the Controller of Military Accounts, Eastern Command and United Provinces District.	Controller of Military Accounts, Eastern Command and United Provinces District, Meerut.
Office of the Controller of Military Accounts, Allahabad Independent Brigade.	Controller of Military Accounts, Allahabad Independent Brigade, Allahabad.
Office of the Controller of Military Accounts, Presidency and Assam District.	Controller of Military Accounts, Presidency and Assam District, Calcutta.
Office of the Controller of Military Accounts, Madras District.	Controller of Military Accounts, Madras District, Bangalore.
Office of the Controller of Military Accounts, Burma District.	Controller of Military Accounts, Burma District, Maymyo.

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V of 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

#### *Schedule—contd.*

#### PART II.—NON-GAZETTED OFFICERS—*contd.*

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Controller of Marine Accounts.	Controller of Marine Accounts, Bombay.
Office of the Controller of Accounts, Royal Air Force.	Controller of Accounts, Royal Air Force, Ambala.
Office of the Deputy Assistant Controller of Accounts, Aircraft Depôt, Royal Air Force, Karachi.	
Office of the Controller of Army Factory Accounts.	Controller of Army Factory Accounts, Calcutta.
Office of the Deputy Assistant Controller of Army Factory Accounts, Gun and Shell Factory, Cossipore.	Deputy Assistant Controller of Army Factory Accounts, Gun and Shell Factory, Cossipore.
Office of the Deputy Assistant Controller of Army Factory Accounts, Rifle Factory, Ishapore.	Deputy Assistant Controller of Army Factory Accounts, Rifle Factory, Ishapore.
Office of the Deputy Assistant Controller of Army Factory Accounts, Metal and Steel Factory, Ishapore.	Deputy Assistant Controller of Army Factory Accounts, Metal and Steel Factory, Ishapore.
Office of the Deputy Assistant Controller of Army Factory Accounts, Harness and Saddlery Factory, Cawnpore.	Deputy Assistant Controller of Army Factory Accounts, Harness and Saddlery Factory, Cawnpore.
Office of the Deputy Assistant Controller of Army Factory Accounts, Gun Carriage Factory, Jubbulpore.	Deputy Assistant Controller of Army Factory Accounts, Gun Carriage Factory, Jubbulpore.
Office of the Deputy Assistant Controller of Army Factory Accounts Ammunition Factory, Kirkee.	Deputy Assistant Controller of Army Factory Accounts, Gun Carriage Factory, Kirkee.
Office of the Deputy Assistant Controller of Army Factory Accounts, Cordite Factory, Aruvankadu.	Deputy Assistant Controller of Army Factory Accounts, Cordite Factory, Aruvankadu.
Office of the Deputy Assistant Controller of Army Factory Accounts, Clothing Depôt, Shahjahanpore.	Deputy Assistant Controller of Army Factory Accounts, Clothing Depôt, Shahjahanpore.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

*Schedule—concl'd.*

**PART II.—NON-GAZETTED OFFICERS—*concl'd.***

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Deputy Assistant Controller of Army Factory Accounts, Clothing Depôt, Madras.	Deputy Assistant Controller of Army Factory Accounts, Clothing Depôt, Madras.
Office of the Field Controller of Military Accounts, Poona.	Field Controller of Military Accounts, Poona.

[See Gazette of India, 1924, Pt. I, p. 800.]

*No. G. (E.)-163, dated the 10th September, 1924.*—In pursuance of Order XXI, rule 48, sub-rule (1), of the rules in the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908), and in supersession of the Notification of the Government of India in the Department of Commerce and Industry No. 8907-162, dated the 17th December, 1910, the Governor General in Council is pleased to direct that notices of orders attaching the salary or allowances of persons employed in the Department of Industries and Labour of the Government of India and in offices and departments subordinate to the Department of Industries and Labour shall be sent to the officers specified in each case in column 2 of the Schedule hereto annexed.

*The Schedule.*

**PART I.—GAZETTED OFFICERS.**

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2

*Secretariat.*

Department of Industries and Labour	Deputy Accountant General, Central Revenues, Delhi.
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## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

#### *Schedule—contd.*

#### PART I.—GAZETTED OFFICERS—*contd.*

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2

#### *Post and Telegraph Department.*

Office of the Director General of Posts and Telegraphs . . . . .	Director General, Posts and Telegraphs.
Officers other than those attached to the Office of the Director General, Posts and Telegraphs, employed in the Province of—	
Bengal and Assam . . . . .	Postmaster General, Bengal and Assam Circle (Headquarters, Calcutta).
Bihar and Orissa . . . . .	Postmaster General, Bihar and Orissa Circle (Headquarters, Patna).
United Provinces . . . . .	Postmaster General, United Provinces (Headquarters, Lucknow).
Punjab and North-West Frontier . . . . .	Postmaster General, Punjab and North-West Frontier Province (Headquarters, Lahore).
Sind and Baluchistan . . . . .	Deputy Postmaster General, Sind and Baluchistan (Headquarters, Karachi).
Bombay . . . . .	Postmaster General, Bombay Circle (Headquarters, Bombay).
Central Provinces . . . . .	Postmaster General, Central Circle (Headquarters, Nagpur).
Madras . . . . .	Postmaster General, Madras Circle (Headquarters, Madras).
Burma . . . . .	Postmaster General and Director, Telegraph Engineering, Burma Circle (Headquarters, Rangoon).

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

*Schedule—contd.*

PART I.—GAZETTED OFFICERS—*contd.*

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2

*Indian Stores Department.*

Office of the Chief Controller of Stores, Simla Delhi.	} Audit Officer, Indian Stores Department, Simla Delhi.
Office of the Metallurgical Inspector, Jamshedpur.	
Office of the Superintendent, Government Test House, Alipore.	
Office of the Controller of Inspection, Calcutta Circle, Calcutta.	
Office of the Controller of Purchase, Calcutta Circle, Calcutta.	
Office of the Inspector-in-Charge, Karachi Inspection Agency, Karachi.	
Office of the Assistant Controller of Purchase, Bombay Circle, Bombay.	
Office of the Assistant Controller of Inspection, Bombay Circle, Bombay.	
Office of the Assistant Controller of Inspection, Cawnpore Circle, Delhi.	
Office of the Inspector-in-Charge, Madras Inspection Agency, Madras.	

*Printing and Stationery Department.*

Office of the Controller of Printing, Stationery and Stamps, Calcutta.	} Accountant General, Central Revenues, Calcutta.
Government Central Press, Calcutta.	
Office of the Deputy Controller, Forms Stores, Calcutta.	
Government of India Press, Aligarh.	
Central Publication Branch, Calcutta.	

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

#### *Schedule—contd.*

#### PART I.—GAZETTED OFFICERS—*concl'd.*

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Government of India Press, Delhi . . .	Deputy Accountant General, Central Revenues, Delhi.
Government of India Press, Simla . . .	
Printing Clearing Office, <sup>Simla</sup> Delhi.	

#### *Meteorological Department.*

Office of the Director General of Observatories, Simla.	Accountant General, Central Revenues, Calcutta.
Meteorological Office and Observatory, Bombay.	
Aerological Observatory, Agra . . .	
Meteorological Office and Observatory, Madras.	
Meteorological Office and Observatory, Calcutta.	
Office of the Director, Kodaikanal Observatory.	

#### *Other Departments.*

Geological Survey of India . . .	Accountant General, Central Revenues, Calcutta.
Department of Mines . . . . .	
Department of Explosives . . . . .	
Office of the Controller of Patents and Designs . . . . .	
Office of the Superintending Engineer, Simla Imperial Circle.	Accountant General, Punjab, Lahore.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

*Schedule—contd.*

**PART II.—NON-GAZETTED OFFICERS.**

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2

*Secretariat.*

Department of Industries and Labour	Secretary to the Government of India, Department of Industries and Labour, Simla Delhi
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*Posts and Telegraph Department.*

Office of the Director General, Posts and Telegraphs.	Director General of Posts and Telegraphs, Calcutta.
Officers other than those attached to the office of the Director General, Posts and Telegraphs, employed in the province of—	
Bengal and Assam . . . . .	Postmaster General, Bengal and Assam Circle (Headquarters, Calcutta).
Bihar and Orissa . . . . .	Postmaster General, Bihar and Orissa Circle (Headquarters, Patna).
United Provinces . . . . .	Postmaster General, United Provinces (Headquarters, Lucknow).
Punjab and North-West Frontier .	Postmaster General, Punjab and North-West Frontier Province (Headquarters, Lahore).
Sind and Baluchistan . . . . .	Deputy Postmaster General, Sind and Baluchistan (Headquarters, Karachi).
Bombay . . . . .	Postmaster General, Bombay Circle (Headquarters, Bombay).
Central Provinces . . . . .	Postmaster General, Central Circle (Headquarters, Nagpur).

## Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

### THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

#### *Schedule—contd.*

#### PART II.—NON-GAZETTED OFFICERS—*contd.*

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Madras . . . . .	Postmaster General, Madras Circle (Headquarters, Madras).
Burma . . . . .	Postmaster General and Director, Telegraph Engineering, Burma Circle (Headquarters, Rangoon).
<i>Indian Stores Department.</i>	
Office of the Chief Controller of Stores, <sup>Simla</sup> Delhi.	Chief Controller of Stores, Indian Stores Department, <sup>Simla</sup> Delhi.
Office of the Metallurgical Inspector, Jamshedpur.	Metallurgical Inspector, Jamshedpur.
Office of the Superintendent, Government Test House, Alipore.	Superintendent, Government Test House, Alipore (Calcutta).
Office of the Controller of Inspection, Calcutta Circle, Calcutta.	Controller of Inspection, Calcutta Circle, Indian Stores Department, Calcutta.
Office of the Controller of Purchase, Calcutta Circle, Calcutta.	Controller of Purchase, Calcutta Circle, Indian Stores Department, Calcutta.
Office of the Inspector-in-Charge, Karachi Inspection Agency, Karachi.	Inspector-in-Charge, Karachi Inspection Agency, Indian Stores Department, Karachi.
Office of the Assistant Controller of Purchase, Bombay Circle, Bombay.	Assistant Controller of Purchase, Bombay Circle, Indian Stores Department, Bombay.
Office of the Assistant Controller of Inspection, Bombay Circle, Bombay.	Assistant Controller of Inspection, Bombay Circle, Indian Stores Department, Bombay.
Office of the Assistant Controller of Inspection, Cawnpore Circle, Delhi.	Assistant Controller of Inspection, Cawnpore Circle, Indian Stores Department, Delhi.
Office of the Inspector-in-Charge, Madras Inspection Agency, Madras.	Inspector-in-Charge, Madras Inspection Agency, Indian Stores Department, Madras.



**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

*Schedule—contd.*

**PART II.—NON-GAZETTED OFFICERS—*contd.***

Department of office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2

*Printing and Stationery Department.*

Office of the Controller of Printing, Stationery and Stamps, Calcutta.	Controller of Printing, Stationery and Stamps, Calcutta.
Government Central Press, Calcutta .	Superintendent of Government Printing, India, Calcutta.
Office of the Deputy Controller of Forms Stores.	Deputy Controller of Forms Stores, Calcutta.
Government of India Press, Delhi . .	Manager, Government of India Press, Delhi.
Government of India Press, Simla. .	Manager, Government of India Press, Simla.
Printing Clearing Office . . . .	Deputy Controller, Printing Clearing Office, <sup>Simla</sup> Delhi.
Government of India Press, Aligarh .	Manager, Government of India Press, Aligarh.
Central Publication Branch, Calcutta .	Manager, Central Publication Branch, Calcutta.

*Meteorological Department.*

Office of the Director General of Observatories, Simla.	Director General of Observatories, Simla.
Meteorological Office and Observatory, Bombay.	Meteorologist, Bombay.
Aerological Observatory, Agra . . .	Meteorologist, Agra.
Meteorological Office and Observatory, Madras.	Meteorologist, Madras.
Meteorological Office and Observatory, Calcutta.	Meteorologist, Calcutta.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*contd.*

*Schedule—concl'd.*

**PART II.—NON-GAZETTED OFFICERS—*concl'd.***

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Office of the Director, Kodaikanal Observatory.	Director, Kodaikanal Observatory, Kodaikanal.
Meteorological Observatories other than those specified above (whole-time employees only).	Director General of Observatories, Simla.
<i>Other Departments.</i>	
Geological Survey of India . . . .	Director, Geological Survey of India, Calcutta.
Department of Mines . . . .	Chief Inspector of Mines in India, Dhanbad.
Department of Explosives . . . .	Chief Inspector of Explosives, Calcutta.
Office of the Controller of Patents and Designs.	Controller of Patents and Designs, Calcutta.
Office of the Superintending Engineer, Simla Imperial Circle .	Superintending Engineer, Simla Imperial Circle, Simla.

[See Gazette of India, 1924, Pt. I, p. 809.]

No. 292-G., dated the 10th September, 1924.—In pursuance of Order XXI, rule 48, sub-rule (1) of the rules in the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908), and in supersession of the notification of the Government of India in the Department of Commerce and Industry, No. 8907-162, dated the 17th December, 1910, the Governor General in Council is pleased to direct that notices of orders attaching the salary or allowances of persons employed in the Department of Commerce of the Government of India and in offices subordinate to the Department of Commerce shall be sent to the officers specified in each case in column 2 of the schedule hereto annexed.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

Officers to whom notices of orders attaching the salary or allowances of certain officers are to be sent—*concl'd.*

*The Schedule.*

**PART I.—GAZETTED OFFICERS.**

Department or office in which judgment-debtor is employed.	Officer to whom notice should be sent.
1	2
Department of Commerce . . . . .	Deputy Accountant General, Central Revenues, Delhi.
Commercial Intelligence Department . . . . .	} Accountant General, Central Revenues, Calcutta.
Tariff Board . . . . .	
Office of the Reverend the Presidency Senior Chaplain, Church of Scotland, Bengal.	Accountant General, Bengal, Calcutta.
Office of the Metropolitan's Chaplain, Calcutta.	Accountant General, Central Revenues, Calcutta.
Office of the Ven'ble the Archdeacon of Calcutta.	Ditto ditto.
Office of the Registrar of the Diocese, Calcutta.	Ditto ditto.

**PART II.—NON-GAZETTED OFFICERS.**

Departments of Commerce . . . . .	Assistant Secretary to the Government of India, Department of Commerce, Delhi Simla.
Commercial Intelligence Department . . . . .	Director General of Commercial Intelligence, Calcutta.
Tariff Board . . . . .	Secretary, Tariff Board, Delhi Simla.
Office of the Reverend the Presidency Senior Chaplain, Church of Scotland, Bengal.	Reverend the Presidency Senior Chaplain, Church of Scotland, Bengal, Calcutta.
Office of the Metropolitan's Chaplain, Calcutta.	Metropolitan's Chaplain, Calcutta.
Office of the Ven'ble the Archdeacon of Calcutta.	Ven'ble the Archdeacon, Calcutta.
Office of the Registrar of the Diocese, Calcutta.	Registrar of the Diocese, Calcutta.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE CODE OF CIVIL PROCEDURE, 1908 (V OF 1908).**

**Appointing Agent and Deputy Agent, East Indian Railway to sign and verify plaints and written statements.**

*No. 523-E.—II, dated the 20th August, 1925.*—In pursuance of rule 1 of Order XXVII in the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908), the Governor General in Council is pleased to appoint the Agent and the Deputy Agent for the time being of the East Indian Railway to be the persons by whom the plaint or written statement may be signed and verified in any suit by or against the Secretary of State for India in Council relating to the affairs of the said railway.

[See Gazette of India, 1925, Pt. I, p. 776.]

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**Empowering Agent, Great Indian Peninsula Railway and other officers to sign and verify plaints and written statements.**

*No. 526-E.—23, dated the 27th August, 1925.*—In pursuance of rule 1 of Order XXVII in the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908), the Governor General in Council is pleased to appoint the Agent for the time being of the Great Indian Peninsula Railway to be the person by whom the plaint or written statement may be signed and verified in any suit by or against the Secretary of State for India in Council relating to the affairs of the said railway.

[See Gazette of India, 1925, Pt. I, p. 788.]

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*No. 523-E.—I., dated the 17th September, 1925.*—With reference to the Railway Board's Notification No. 526-E.—23, dated 27th August, 1925, it is hereby notified for general information that in pursuance of rule 1 of Order XXVII in the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908), the Governor General in Council is pleased to appoint the Senior Deputy Agent and the Junior Deputy Agent, in addition to the Agent, for the time being of the Great Indian Peninsula Railway, to be the persons by whom the plaint or written statement may be signed and verified in any suit by or against the Secretary of State for India in Council relating to the affairs of the said railway.

[See Gazette of India, 1925, Pt. I, p. 841.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN SALT DUTIES ACT, 1908 (X of 1908).**

**Empowering the Central Board of Revenue to make rules in respect of salt imported into or transported within the Presidency of Bengal.**

*No. 797, dated the 29th March, 1924.*—In exercise of the powers conferred by section 2 of the Indian Salt Duties Act, 1908 (X of 1908) [as amended by the Central Board of Revenue Act, 1924 (IV of 1924)], and by section 22 of the General Clauses Act, 1897 (X of 1897), the Governor General in Council is pleased to empower the Central Board of Revenue, constituted under the Central Board of Revenue Act, 1924 (IV of 1924), to make rules under the first named section in respect of salt imported into, or transported within, the Presidency of Bengal.

[See Gazette of India, 1924, Pt. I, p. 257.]

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**Empowering the Central Board of Revenue to make rules regarding certain salt duty in the Madras Presidency.**

*C. No. 28-IV-Salt—25, dated the 19th November, 1925.*—In exercise of the powers conferred by section 2 of the Indian Salt Duties Act, 1908 (X of 1908), the Governor General in Council is pleased to empower the Central Board of Revenue, constituted under the Central Board of Revenue Act, 1924 (IV of 1924), to make rules under the first named section in respect of the payment of duty on salt removed from a salt work or store in the Madras Presidency.

[See Gazette of India, 1925, Pt. I, p. 1098.]

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**Empowering the Central Board of Revenue to make rules regarding certain salt duty in the Bombay Presidency.**

*C. No. 28-X-Salt—25, dated the 10th December 1925.*—In exercise of the powers conferred by section 2 of the Indian Salt Duties Act, 1908 (X of 1908), the Governor General in Council is pleased to empower the Central Board of Revenue, constituted under the Central Board of Revenue Act, 1924 (IV of 1924), to make rules under the said section in respect of the payment of duty on salt removed from a salt work or store in the Bombay Presidency (excluding Sind and Aden).

[See Gazette of India, 1925, Pt. I, p. 1185.]

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

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**THE INDIAN PORTS ACT, 1908 (XV OF 1908).**

**Dangerous, infectious or contagious diseases common in India for purposes of the Ports Act, 1889 (X of 1889).**

*No. 1777-S., dated the 9th December, 1903.*—For the purposes of section 6, sub-section (1), clause (p), of the Indian Ports Act, 1889 (X of 1889), as amended by the Indian Ports Act, 1901 (III of 1901), the Governor General in Council is pleased to direct that cholera, small-pox, measles and chicken-pox shall be deemed to be dangerous, infectious, or contagious diseases common in India.

[See Gazette of India, 1903, Pt. I, p. 1025.]

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**Declaring sleeping sickness to be a dangerous, infectious, or contagious disease uncommon in India.**

*No. 2178, dated the 14th October, 1908.*—For the purposes of section 6, sub-section (1), clause (p), of the Indian Ports Act, 1889 (X of 1889), as amended by the Indian Ports Act, 1901 (III of 1901), the Governor General in Council is pleased to direct that sleeping sickness including the stage of the disease known as trypanosomiasis, shall be deemed to be a dangerous, infectious or contagious disease uncommon in India.

[See Gazette of India, 1908, Pt. I, p. 921.]

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**Non-application of sub-section (1) of section 31 to certain sailing vessels in the port of Karachi.**

*No. 277-S. (4), dated the 10th October, 1925.*—In exercise of the powers conferred by the proviso to sub-section (1) of section 31 of the Indian Ports Act, 1908 (XV of 1908), the Governor General in Council is pleased to direct that in the port of Karachi the provisions of the said sub-section shall not apply to sailing vessels of any measurement not exceeding a measurement of 500 tons.

[See Gazette of India, 1925, Pt. I, p. 931.]

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<sup>1</sup> Repealed by Act XV of 1908, but the notification is kept in force by s. 24 of the General Clauses Act, 1897 (X of 1897), Genl. Acts, Vol. IV.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE WHIPPING ACT, 1909 (IV of 1909).

Specification of offences under which juvenile offenders may be punished with whipping.

*No. 1008, dated the 6th June, 1921.*—In exercise of the powers conferred by section 5, clause (b), of the Whipping Act, 1909 (IV of 1909), and in supersession of the Home Department Notification No. 1650, dated the 27th September, 1920, the Governor General in Council is pleased to specify the offences under the enactments and rules mentioned in the schedule hereto annexed, being offences punishable under the said enactments and rules with imprisonment, as offences for the abetment or commission of, or attempt to commit which, juvenile offenders may be punished with whipping in accordance with the provisions of the said section.

*Schedule.*

GENERAL ACTS.

1. The Police Act, 1861 (V of 1861), section 34.
2. The Public Gambling Act, 1867 (III of 1867), sections 4, 13 and 15.
3. The Cattle Trespass Act, 1871 (I of 1871), section 24.
4. The Northern India Canal and Drainage Act, 1873 (VIII of 1873), section 70, clauses (1) and (2).
5. The Opium Act, 1878 (I of 1878), section 9.
6. The Indian Forest Act, 1878 (VII of 1878), sections 25, 32 and 62 and rules made under section 41, for the infringement of which imprisonment is prescribed as a penalty.
7. The Indian Arms Act, 1878 (XI of 1878), sections 19, 20, 22 and 23.
8. The Indian Salt Act, 1882 (XII of 1882), sections 9 and 10.
9. The Indian Telegraph Act, 1885 (XIII of 1885), sections 24 and 25.
10. The Indian Railways Act, 1890 (IX of 1890), sections 126, 127, 128 and 129.
11. The Prevention of Cruelty to Animals Act, 1890 (XI of 1890), sections 3, 4 and 5.
12. The Prisons Act, 1894 (IX of 1894), section 42.
13. The Excise Act, 1896 (XII of 1896), sections 45, 46, 49 and 51.
14. The Indian Fisheries Act, 1897 (IV of 1897), sections 4 and 5.
15. The Reformatory Schools Act, 1897 (VIII of 1897), sections 27 and 28.
16. The Indian Post Office Act, 1898 (VI of 1898), sections 61, 62 and 68.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE INDIAN PORTS ACT, 1908 (XV OF 1908).**

Authorising certain officers to exercise the powers conferred by Ss. 68-A and 68-B of the Act in respect of certain ports—*contd.*

*Schedule.*

1	2
General Officer Commanding, Aden Brigade.	Aden.
General Officer Commanding, Karachi Brigade.	Karachi.
General Officer Commanding, Bombay Brigade.	Bombay.
Officer Commanding, Madras . . .	Madras.
General Officer Commanding, Presidency Brigade.	Calcutta.
General Officer Commanding, Rangoon Brigade.	Rangoon.

[See Gazette of India, 1916, Pt. I, p. 603.]



Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE WHIPPING ACT, 1909 (IV OF 1909).

Specification of offences under which Juvenile offenders may be punished with whipping.

*No. 1008, dated the 6th June, 1921.*—In exercise of the powers conferred by section 5, clause (b), of the Whipping Act, 1909 (IV of 1909), and in supersession of the Home Department Notification No. 1650, dated the 27th September, 1920, the Governor General in Council is pleased to specify the offences under the enactments and rules mentioned in the schedule hereto annexed, being offences punishable under the said enactments and rules with imprisonment, as offences for the abetment or commission of, or attempt to commit which, juvenile offenders may be punished with whipping in accordance with the provisions of the said section.

*Schedule.*

GENERAL ACTS.

1. The Police Act, 1861 (V of 1861), section 34.
2. The Public Gambling Act, 1867 (III of 1867), sections 4, 13 and 15.
3. The Cattle Trespass Act, 1871 (I of 1871), section 24.
4. The Northern India Canal and Drainage Act, 1873 (VIII of 1873), section 70, clauses (1) and (2).
5. The Opium Act, 1878 (I of 1878), section 9.
6. The Indian Forest Act, 1878 (VII of 1878), sections 25, 32 and 62 and rules made under section 41, for the infringement of which imprisonment is prescribed as a penalty.
7. The Indian Arms Act, 1878 (XI of 1878), sections 19, 20, 22 and 23.
8. The Indian Salt Act, 1882 (XII of 1882), sections 9 and 10.
9. The Indian Telegraph Act, 1885 (XIII of 1885), sections 24 and 25.
10. The Indian Railways Act, 1890 (IX of 1890), sections 126, 127, 128 and 129.
11. The Prevention of Cruelty to Animals Act, 1890 (XI of 1890), sections 3, 4 and 5.
12. The Prisons Act, 1894 (IX of 1894), section 42.
13. The Excise Act, 1896 (XII of 1896), sections 45, 46, 49 and 51.
14. The Indian Fisheries Act, 1897 (IV of 1897), sections 4 and 5.
15. The Reformatory Schools Act, 1897 (VIII of 1897), sections 27 and 28.
16. The Indian Post Office Act, 1898 (VI of 1898), sections 61, 62 and 68.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE WHIPPING ACT, 1909 (IV OF 1909).

Specification of offences under which Juvenile offenders may be punished with whipping—*contd.*

17. The Ancient Monuments Preservation Act, 1904 (VII of 1904), section
18. The Indian Electricity Act, 1910 (IX of 1910), section 40.
19. The Criminal Tribes Act, 1911 (III of 1911), sections 21, 22 and
20. The Cantonment Code, 1912, section 67 (i).

LOCAL ACTS.

*Madras.*

1. The Madras District Police Act, 1859 (XXIV of 1859), section 47.
2. The Madras Forest Act, 1882 (Madras Act V of 1882), sections 21, 28 and 50 and rules made under sections 26 and 35, for the infringement of which imprisonment is prescribed as a penalty.
3. The Madras Abkari Act, 1886 (Madras Act I of 1886), sections 55 and 58.
4. The Madras City Police Act, 1888 (Madras Act III of 1888), sections 46, 53, 64, 65, 67, 68, 71, 72 and 75.
5. The Towns Nuisances Act, 1889 (Madras Act III of 1889), sections 3, 5 and 7.
6. The Madras Salt Act, 1889 (Madras Act IV of 1889), section 74.

*Bombay.*

1. The Bombay Abkari Act, 1878 (Bombay Act V of 1878), sections 43 and 48.
2. The Bombay Prevention of Gambling Act, 1887 (Bombay Act IV of 1887), sections 5 and 12.
3. The Bombay District Police Act, 1890 (Bombay Act IV of 1890), sections 62, 70 and 71.
4. The City of Bombay Police Act, 1902 (Bombay Act IV of 1902), section 122.

*Bengal.*

1. The Howrah Offences Act, 1857 (XXI of 1857), section 20.
2. The Calcutta Suburban Police Act, 1866 (Bengal Act II of 1866), section 41.
3. The Calcutta Police Act, 1866 (Bengal Act IV of 1866), section 68.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***

**THE WHIPPING ACT, 1909 (IV of 1909).**

**Specification of offences under which Juvenile offenders may be punished with whipping—*contd.***

4. The Bengal Public Gambling Act, 1867 (Bengal Act II of 1867), sections 4, 11 and 13.
5. The Bengal Irrigation Act, 1876 (Bengal Act III of 1876), section 93.
6. The Bengal Embankment Act, 1882 (Bengal Act II of 1882), section 77.
7. The Bengal Excise Act, 1909 (Bengal Act V of 1909), sections 46 and 52.

*United Provinces.*

1. The United Provinces Excise Act, 1910 (United Provinces Act IV of 1910), sections 60, clauses (a), (b), (c), (d), (e), (f), (g), (h), (i) and 63.

*Punjab.*

1. The Punjab Land Preservation (Chos) Act, 1900 (Punjab Act II of 1900), section 19.
2. The Punjab Excise Act, 1914 (Punjab Act I of 1914), section 61, sub-section (1), clauses (a) and (c), and sub-section (2), clauses (a), (b) and (c).

*Burma.*

1. The Burma Gambling Act, 1899 (Burma Act I of 1899), sections 10, 11, 12 and 13.
2. The Rangoon Police Act, 1899 (Burma Act IV of 1899), sections 30, 31 and 42.
3. The Burma Forest Act, 1902 (Burma Act IV of 1902), section 55, clause (b).
4. The Burma Salt Act, 1917 (Burma Act II of 1917), sections 9, 10, 13 and 15.
5. The Burma Excise Act, 1917 (Burma Act V of 1917), sections 30, 31, 32, 33 and 34.

*Bihar and Orissa.*

1. The Bengal Embankment Act, 1855 (XXXII of 1855), sections 10 and 17.
2. The Bengal Embankment Act, 1882 (Bengal Act II of 1882), section 77.
3. The Bihar and Orissa Excise Act, 1915 (Bihar and Orissa Act II of 1915), sections 47 and 55.

**Part II.—General Rules and Orders made under General Acts of the Governor General in Council—concl'd.**

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**THE WHIPPING ACT, 1909 (IV OF 1909).**

**Specification of offences under which Juvenile offenders may be punished with whipping—concl'd.**

*Central Provinces.*

1. The Central Provinces Excise Act, 1915 (Central Provinces Act II of 1915), sections 34, clauses (a), (b), (c), (d), (f), (g), (h) and 36.

*Delhi.*

1. Section 61, sub-section (1), clauses (a) and (c) and sub-section (2), clauses (a), (b) and (c) of the Punjab Excise Act, 1914 (Punjab Act I of 1914), as applied to the Delhi Province by Government of India Notifications No. 3246-39, dated the 2nd May, 1914, and No. 16272, dated the 30th October, 1915.

[See Gazette of India, 1921, Pt. I, p. 872.]